ENVIRONMENTAL ASSESSMENT

Establish the NANA Regional Boundary as the Resident Zone Boundary for Cape Krusenstern National Monument And for Kobuk Valley National Park

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National Park Service
Western Arctic National Parklands

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ENVIRONMENTAL ASSESSMENT

Establish the NANA Regional Boundary as the Resident Zone Boundary for Cape Krusenstern National Monument and for Kobuk Valley National Park

Purpose and Need

The National Park Service is considering designating all lands within the Northwest Arctic Native Association (NANA) Region [see Figure 1] as the resident zone for Cape Krusenstern National Monument and for Kobuk Valley National Park. This would replace the current situation of three resident zone communities for Cape Krusenstern National Monument and seven resident zone communities for Kobuk Valley National Park. The proposed action would be implemented through a regulatory change in the National Park Service (NPS) regulations. The proposed action responds to the recommendations contained in the Subsistence Resource Commissions' Hunting Plans for Cape Krusenstern National Monument (CAKR) and Kobuk Valley National Park (KOVA) submitted to the Secretary of Interior on August 24, 1993.

The Subsistence Resource Commissions (SRCs) were established by ANILCA to advise the National Park Service and devise Hunting Plans that address, in part, subsistence eligibility. In explaining the rationale for their eligibility recommendations (i.e. modifying the resident zone definition established in 1981), the Subsistence Resource Commissions stated: "Over ninety percent of the residents of Northwest Alaska are Inupiaq Eskimo people whose history of subsistence use of the area extends back thousands of years. The Commission believes the existing resident zone designations create unnecessary divisions among the people and disrupt their traditional hunting patterns. The people of the NANA Region consider themselves a cohesive social and cultural unit and have traditionally hunted throughout the area without regard to jurisdictional boundaries."[1] The SRCs further elaborated, stating their desire that the region's cultural unity not be divided by jurisdictional boundaries such as the inclusion of some, but not all, of the 11 NANA villages in the subsistence resident zone.

In a response to the Cape Krusenstern and Kobuk Valley SRCs dated September 25, 1996, the Secretary of Interior directed the NPS to complete, within one year from the date of the letter, an analysis of the environmental and subsistence impacts of the two SRC proposals to modify the resident zones for the two park units.[2]

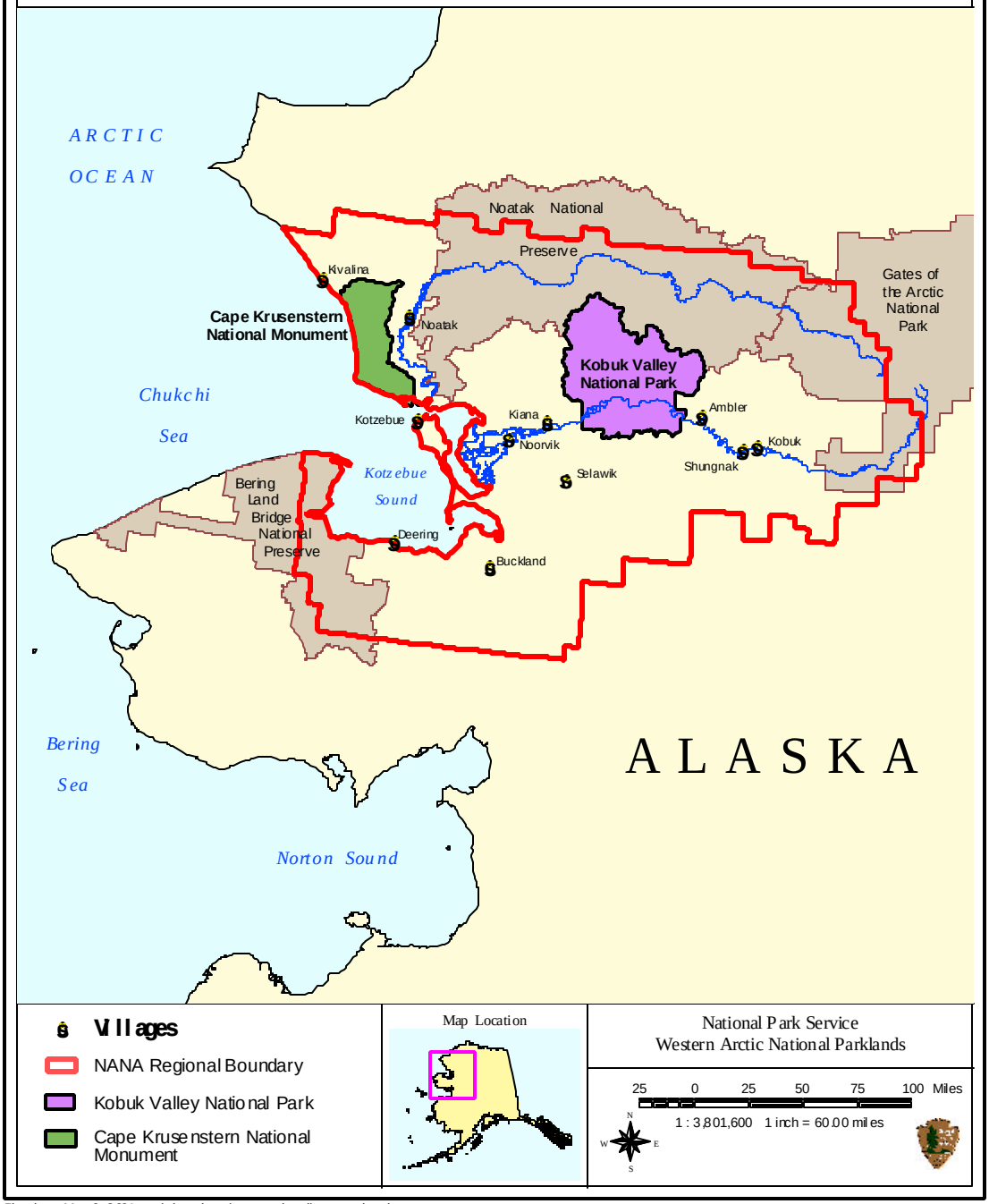
This environmental assessment (EA) has been prepared in accordance with the National Environmental Policy Act of 1969 and the regulations of the Council of Environmental Quality (40 CFR 1508.9). It evaluates the potential impacts to cultural and natural resource values which could result from the

designation of one resident zone for KOVA and CAKR. The EA is intended to facilitate decision-making

[1] Appendix B. Joint Resolution of the Cape Krusenstern National Monument and the Kobuk Valley National Park Subsistence resource Commissions.
[2] See Appendix E, Secretarial response letter

based on an understanding of the environmental consequences of the proposal.

FIGURE 1
NANA Regional Boundary



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Background

Legal Framework
Title VIII of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) provides for the continuation of customary and traditional uses of fish and wildlife resources on public lands by residents of rural Alaska. For designated parks and monuments, ANILCA section 203 provides for subsistence uses by "local rural" residents. The legislative history of ANILCA includes Congress' intent "that communities which contain concentrations of local rural residents with established or historical patterns of subsistence use of wildlife within those units [national parks and national park monuments] be identified and designated as *resident zones*." The legislative history noted the benefits of the designation of resident zones included the following: 1) the NPS would be ".... spared the expense and administrative complications attendant in the implementation of a comprehensive permit system.", 2) ".... traditional movement of local rural residents between rural villages and Alaska's larger population centers can continue.... without the interference of a complicated administrative structure.", and 3) "...most importantly, rural communities and cultures will not be burdened by implementation of a complex, and in many instances culturally disruptive, regulatory system, unless necessary in specific instances to protect and administer unit values." The legislative history further notes "the resident zone approach to subsistence hunting is consistent with the protection of park and monument values only so long as such zones remain composed primarily of concentrations of residents with an established or historical pattern of subsistence uses of wildlife within the units." (Senate Report 96-413, 11/5/79, p. 169-170).

To implement section 203, "local rural" mandate of ANILCA and the Congressional intent to avoid a subsistence permit system, the NPS adopted regulations for NPS units in Alaska (Federal Register, Vol. 48, No. 116, Wednesday, June 17, 1981). Section 13.42 of these regulations (found in Title 36 of the Code of Federal Regulations) defines a "local rural resident" as "any person who has his primary, permanent home within the resident zone...." or ".... any person authorized ... by a subsistence permit issued pursuant to § 13.44." Resident zones consist of the area within a national park or monument, and the communities and areas near, a national park or monument with a significant concentration of residents who have customarily and traditionally engaged in subsistence uses within the national park or monument permanently (see Sections 13.42 and 13.43). "The concentrations may be 'significant' in relative quantity (e.g., predominant numbers) or quality (e.g., cultural vitality, community leadership and influence)." (Fed. Reg. Vol. 48, No. 116, pp. 31850-1).

Section 13.62 of the NPS regulations lists the following communities and areas that are currently included within the resident zone for Cape Krusenstern National Monument: Kivalina, Kotzebue, and Noatak. Section 13.69 of the regulations lists the following communities and areas that are currently included within the resident zone for Kobuk Valley National Park: Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, and Shungnak.

Related Legislation, Policy, and Plans
The NPS Organic Act of 1916 states that the purpose of the national parks is to "conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." (16 U.S.C. 1). The NPS Organic Act and the General Authorities Act prohibit impairment of park resources and values. The NPS Management Policies and Director's Order #55 use the terms "resources and values" to mean the full spectrum and intangible attributes for which the park is established and are managed, including the Organic Act's fundamental purpose and any additional purposes as stated in the park's establishing legislation. The impairment of park resources and values may not be allowed unless directly and specifically provided by statute. The primary responsibility of the National Park Service is to

ensure that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

The Wilderness Act of 1964 directs that wilderness areas, even within national parks, "shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness".

All management decisions affecting wilderness must be consistent with the minimum requirement concept. This concept is a documented process used to determine if administrative activities effecting wilderness resources or the visitor experience are necessary. The minimum requirement concept will be applied as a two-step process that determines:

- Whether or not the proposed management action is appropriate or necessary for administration of the area as wilderness; and does not pose a significant impact to wilderness resources and character; and

- The techniques and type of equipment needed to ensure that impact to wilderness resources and character is minimized.

In accordance with this policy, the potential disruption of wilderness character and resources will be considered before, and given significantly more weight than, economic efficiency and convenience. If a compromise of wilderness resources or character is unavoidable, only those actions that preserve wilderness character and/or have localized short-term adverse impacts will be acceptable.

Cape Krusenstern National Monument and Kobuk Valley National Park
Cape Krusenstern National Monument and Kobuk Valley National Park are part of Western Arctic National Parklands a collectively managed NPS unit established to preserve nationally significant natural, scenic, historic, archeological, geological, scientific, wilderness, cultural, recreational and wildlife resources and values for the benefit, use, education and inspiration of present and future generations. Although these two units are distinct in character, they are united in their interrelated resources and purposes.
These two units, managed collectively with Noatak National Preserve and Bering Land Bridge National Preserve as Western Arctic National Parklands (WEAR), provide an opportunity for people to maintain a subsistence way of life as an integral component of the dynamic and natural evolving ecosystem. WEAR provides for public use in a natural and undeveloped setting that includes backcountry hiking, camping, boating, fishing, winter travel, subsistence hunting and gathering, and, in the two Preserves, sport hunting and trapping. WEAR works cooperatively with local Eskimo people to protect and interpret historic and prehistoric cultural sites and resources and to enable them to maintain their direct connection to and dependence on the land and resources that date back thousands of years.

The primary significance of Western Arctic National Parklands can be summarized as:

- **Ecosystem Integrity**: WEAR protects a vast area, 11.8 million acres, encompassing a complete range of subarctic and arctic landscapes and natural diversity of Arctic flora and fauna. Together with adjoining conservation units it forms one of the largest protected areas on earth. This area is large enough to sustain the biodiversity and productivity of the Arctic ecosystem undisturbed by adverse human activity.

- **Native Alaskan Heritage**: Twenty communities in proximity to these four units remain populated by over 85% Inupiaq and Yupik. Native people are part of the natural ecosystem and their cultural vitality is dependent on continuation of the relationship and use of resources, which date back 10,000

years. The cultural heritage embodied in the continuous undisplaced presence of indigenous people on this landscape is a national cultural treasure.

- **Wildlife**: WEAR provides critical habitat for fish and wildlife including 36 species of Arctic mammals such as Dall sheep, muskox, wolves, grizzly and polar bears. The Parklands protect a migration corridor for the Western Arctic Caribou Herd of some half million animals which is reminiscent of the bison herds that once roamed the Great Plains. During the summer, tens of thousands of migratory birds representing over 200 species converge from all seven continents to nest and feed. The Parklands provide some of the best opportunity in North America for viewing rare Asian birds.

- **Wilderness**: WEAR contains 5.8 million acres of designated wilderness and another 3.7 million acres of potential wilderness that protect wilderness values and provide for outstanding wilderness recreational opportunities.

- **Research**: The diversity and vastness of these areas provides an opportunity for scientific study of arctic and subarctic natural processes in an undisturbed ecosystem. Because it was unglaciated during the last ice age, the parklands provide the best record in North America of the Pleistocene and Holocene plant and animal migrations as well as undisturbed archeological sites that document the peopling of the western hemisphere.

- **International**: Scientists consider northwest Alaska and Chukotka, which is less than 55 miles across Bering Strait, to be a single botanical unit sharing a common natural and cultural heritage. These NPS areas are part of the Beringian Heritage International Program that seeks to conduct collaborative research and share information with Russia and eventually join with a Russian conservation area as part of an international park

- **Opportunity for unrestricted recreation:** Because of low levels of use dispersed over a vast area, these units provide an opportunity for solitude, interacting with Native Alaskans, and camping, boating, hiking, snowmachining, dog sledding, and hunting (in the two Preserves) in a natural and undeveloped setting. The 350 mile-long Kobuk River and 400 mile-long Noatak Rivers offer two of America's premier wilderness float trips.

Kobuk Valley National Park

Kobuk Valley was established as a national monument by presidential proclamation in 1978 and redesignated a national park by ANILCA in 1980. ANILCA §201(6) specifically directs:

> "Kobuk Valley National Park shall be managed for the following purposes, among others: To maintain the environmental integrity of the natural features of the Kobuk River Valley, including the Kobuk, Salmon, and other rivers, the boreal forest, and the Great Kobuk Sand Dunes, in an undeveloped state, to protect and interpret, in cooperation with Native Alaskans, archaeological sites associated with Native cultures; to protect migration routes for the Arctic caribou herd; to protect habitat for, and population of, fish and wildlife including but not limited to caribou, moose, black and grizzly bears, wolves and waterfowl and to protect the viability of subsistence resources. Subsistence uses by local residents shall be permitted in the park in accordance with the provisions of title VIII."

The Kobuk Valley is a critical transition zone between northern boreal forest and Arctic tundra. The Kobuk River and its tributaries provide significant breeding habitat for anadromous fish and habitat and migration routes for wildlife and humans. The Salmon River has received national recognition as a Wild and Scenic River. The wind-sculpted Great Kobuk Sand Dunes rise up to 100 feet high and cover 25

square miles, and are a unique arctic landform used by humans for 10,000 years. In addition, within Kobuk Valley National Park the most important archeological sites unearthed in the Arctic were found at the now-named Onion Portage National Historic Landmark, which encompasses a unique stratigraphic representation of the Arctic archeological record

Cape Krusenstern National Monument

Cape Krusenstern National Monument was protected as a national monument by presidential proclamation in 1978 and designated a national monument by ANILCA in 1980. ANILCA §201(6) specifically directs:

> "The monument shall be managed for the following purposes, among others: To protect and interpret a series of archeological sites depicting every known culture period in arctic Alaska; to provide for scientific study of the process of human population of the area from the Asian Continent; in cooperation with Native Alaskans, to preserve and interpret evidence of prehistoric and historic Native cultures; to protect habitat for seals and other marine mammals; to protect habitat for and populations of, birds, and other wildlife, and fish resources; and to protect the viability of subsistence resources. Subsistence uses by local residents shall be permitted in the monument in accordance with the provisions of Title VIII [of ANILCA]."

Cape Krusenstern National Monument lies within the Cape Krusenstern National Historic Landmark, designated for known and potential archeological sites dating from the Late Pleistocene to the present day. The Monument contains a series of 114 marine beach ridges that show successive occupations by peoples living on the shore of Kotzebue Sound, adjacent to the Bering Strait. The ridges contain evidences of nearly every major cultural period thus far identified in Arctic history. The beach ridge complex, Battle Rock, the Palisades and Lower Bench sites which document human occupations over the last 5,000 years have been listed on the National Registry as the Cape NRHP Archeological District. The 103 Native allotment parcels support critical subsistence harvests and are the modern examples of a 5,000-year tradition of human adaptation to the Arctic coast. In addition, Anigaaq is a significant traditional whitefish harvest location and 14(h)1 cemetery site.

The Role of the Subsistence Resource Commission

Title VIII of ANILCA, Section 808, established subsistence resource commissions for each park monument area in Alaska where subsistence uses are permitted. Pursuant to this section, subsistence resource commissions were established for Cape Krusenstern National Monument, Kobuk Valley National Park, and five other park areas. Section 808 directs each SRC to "devise and recommend to the Secretary and the Governor [of Alaska] a program for subsistence hunting within the park or park monument." Section 808 also directs the Secretary to "promptly implement the program and recommendations submitted to him by each commission unless he finds in writing that such program or recommendations violates recognized principles of wildlife conservation, threatens the conservation of healthy populations of wildlife in the park or park monument, is contrary to the purposes for which the park or park monument is established, or would be detrimental to the satisfaction of subsistence needs of local residents."

SRC Recommendations and Responses from the NPS and the Secretary of the Interior

On June 6, 1986, the SRCs for Cape Krusenstern National Monument and Kobuk Valley National Park passed the Joint Resolution requesting the resident zones for Kobuk Valley National Park and Cape Krusenstern National Monument coincide with the political boundaries of the NANA Region.[3] On August 24, 1993, pursuant to Section 808 of ANILCA, the SRCs for Cape Krusenstern National Monument and Kobuk Valley National Park submitted hunting plan recommendations to the Secretary of Interior (and to the Governor of Alaska). The first recommendation from both SRCs related to eligibility and the issue of resident zones. Both SRCs recommended that the resident zone for the two units "coincide with the political boundaries of the NANA Region." To support their recommendations, the SRCs listed the

3 Appendix B. Joint Resolution of the Cape Krusenstern National Monument and the Kobuk Valley National Park Subsistence resource Commissions.

following factors. "Over ninety percent of the residents of Northwest Alaska are Inupiaq Eskimo people whose history of subsistence use of the area extends back thousands of years. The Commission believes the existing resident zone designations create unnecessary divisions among the people and disrupt their traditional hunting patterns. The people of the NANA Region consider themselves a cohesive social and cultural unit and have traditionally hunted throughout the area without regard to jurisdictional boundaries."

On September 25, 1996, the Secretary responded to the two SRCs. Regarding the commissions' recommendations concerning resident zones, the Secretary stated that the factors identified by the two SRCs were "worthy of further investigation." The Secretary further directed the NPS to complete an analysis of the environmental and subsistence impacts of the two SRC proposals to modify the resident zones for the two park units, and to complete this analysis within one year. Based on the outcome of the environmental and subsistence impact assessments, the NPS was directed to determine whether to initiate rule making to redefine the resident zone boundary descriptions for CAKR and KOVA.[4]

State of Alaska Consultation[5]

In response to the consultation request required by ANILCA § 808, the Commissioner of the Alaska Department of Fish and Game, acting on the direction of the Governor of Alaska, sent a letter dated January 24, 1994, to the Secretary of Interior reviewing the hunting plan recommendations for Cape Krusenstern and Kobuk Valley. For Kobuk Valley, the letter stated: "This [recommendation] would add Buckland, Deering, Noatak, and Kivalina to the Kobuk Valley National Park resident zone. Although this action would increase the number of persons eligible for subsistence, the actual increase in subsistence use of the park is expected to be negligible and the biological impacts will be insignificant. Such use already likely occurs when residents of the above four communities accompany relatives from resident zone communities on hunting trips. The proposed regional resident zone system would simplify the regulatory system. The state supports adopting this portion of the recommendation."

Regarding Cape Krusenstern, the Commissioner's letter stated: "Recommendation 1 would add the communities of Ambler, Shungnak, Kobuk, Kiana, Noorvik, Selawik, Buckland, and Deering to the resident zone for the Cape Krusenstern National Monument. This would be a substantial numerical increase in the population eligible for subsistence in the monument (from 3,600 to 6,300 persons in 1990 population figures). Little actual increase in use is expected. The Cape Krusenstern National Monument is important principally as a marine mammal and fishing location—activities that arguably are outside the scope of the subsistence hunting plans. Some persons living outside the resident zone might occasionally hunt with relatives or friends in the monument if this recommendation is adopted, but the impact on resources would be negligible. The state supports the adoption of this portion of the recommendation."

Issues Considered for Further Evaluation

To focus the environmental assessment, the NPS selected specific issues for further analysis and eliminated others from evaluation. Subsequent environmental consequences related to each alternative focus on these issues. A brief rationale for the selection of each topic is given below.

Coastal Zone Resources: The coastal zone resources of CAKR could be impacted by in increase in subsistence use. Beach traffic could increase causing impacts to geomorphology. Hunting of waterfowl could increase.

Cultural Resources: Archaeological sites might be impacted from an increase in subsistence gathering or hunting.

Fisheries: In increase in number of subsistence fishers may increase harvest of fish.

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4 Appendix E. Secretarial response to SRCs

5 Appendix F. State of Alaska, Alaska Department of Fish and Game letter to Secretary of Interior

Park Management: The workload associated with issuing permits for subsistence use might decrease if the entire NANA region became the resident zone. The negative feedback resulting from a change in policy might impact the ability of the NPS to work cooperatively with local organizations and individuals.

Regional Socio-Economics: Socio-economic issues are the basis for the resident zone recommendation. Any decision which effects subsistence eligibility will have socio economic effects.

Threatened and Endangered Species: Any change in levels of subsistence use along the CAKR coast has the potential to effect eider populations.

Recreation and Visitor Use: To the extent that subsistence activities impact recreational and visitor use of a particular area within CAKR or KOVA, any change in the level of subsistence use would likewise impact recreational and visitor use.

Wilderness: An change in the level of subsistence activity may alter existing levels of use in the wilderness of KOVA. The number of subsistence users seen by recreational users may change.

Wildlife and habitat: A change in the level of subsistence use might impact the harvest of wildlife, with a corollary impact on habitat.

Subsistence: Any change in the level of subsistence use might impact wildlife, or cultural resources. One of the primary park values of both CAKR and KOVA centers on the long, continuing history of people living on the landscape, and people as a continuing part of that landscape. Any change in the ability of local people to engage in subsistence activities, will effect those park values.

Issues Eliminated from Further Consideration

A brief rationale dismissing specific topics from further consideration is included below.

Air Quality. Any change in level of subsistence use would not noticeably effect air quality. The only potential effect would be from any increase in level of snowmachine use to access subsistence resources.

Floodplain: Any change in the level of subsistence use would not result in a noticeable modification or occupation of any floodplain within CAKR or KOVA.

Wetlands: Any change in the level of subsistence use would not result in a noticeable modification or occupation of any wetland within CAKR and KOVA.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations: This order requires all federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities. This project would not result in any disproportionately high and adverse human health or environmental effects in the NANA region and, therefore, would not be expected to have any direct or indirect impacts to minority or low-income populations or communities.

Description of Alternatives

Alternative A: Retain existing resident zone definitions (No Action)

Under this alternative, the current situation would not change. The existing resident zones for CAKR and KOVA would be retained. Persons living within CAKR and the communities of Kivalina, Kotzebue, and Noatak would qualify for subsistence use within CAKR. Persons living within KOVA and the communities of Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, and Shungnak would qualify for subsistence uses in KOVA. Residents of the NANA Region, living outside the current resident zones for CAKR and/or KOVA (including Deering and Buckland) would establish eligibility for subsistence use of those units by applying for a 36 CFR 13.44 permit and demonstrating their individual eligibility according to the 36 CFR 13.44 criteria.

For Cape Krusenstern National Monument the following communities and areas are included within the resident zone as defined in 36 CFR 13.62(a): Kivalina, Kotzebue, Noatak. This alternative provides subsistence eligibility to approximately 3,887 of the region's residents, (residents of Kivalina, Kotzebue, and Noatak) without requiring them to demonstrate individual eligibility according to 36 CFR 13.44 criteria by applying for a permit. To be eligible for subsistence use in CAKR, the remaining residents of the region, about 3,257 people (residents of Buckland, Deering, Selawik, Kobuk, Shungnak, Ambler, Kiana and Noorvik, and camp families), would have to apply for a 36 CFR 13.44 permit from the NPS and demonstrate individual eligibility according to the 13.44 criteria.

For Kobuk Valley National Park the following communities and areas are included within the resident zone as defined in 36 CFR 13.69(a): Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, Shungnak. This alternative provides subsistence eligibility within the park to approximately 5,550 of the region's residents without requiring them to prove eligibility by individually applying for a 36 CFR 13.44 permit. To be eligible for subsistence use in KOVA, the remaining 1,594 residents of the region (residents of Buckland, Deering, Noatak and Kivalina, and people living outside the resident zone communities) would have to apply for 36 CFR 13.44 permit and demonstrate individual eligibility according to the 13.44 criteria.

To date, individuals of the NANA Region have not applied to the National Park Service for 13.44 permits. They have been waiting since 1986, when they first wrote the Joint Resolution, for the outcome of this resident zone change proposed by the Cape Krusenstern National Monument and Kobuk Valley National Park Subsistence Resource Commissions.

Alternative B: Proposed Action - Establish resident zone with boundaries coinciding with NANA Regional boundaries (NPS Preferred Action)

The proposed action seeks to establish the area encompassed within the boundaries of the NANA Region as a single resident zone for both Cape Krusenstern National Monument (CAKR) and Kobuk Valley National Park (KOVA) as recommended by the Kobuk Valley National Park Subsistence Resource Commission and the Cape Krusenstern National Monument Subsistence Resource Commission under the authority of ANILCA Section 808(a) (See Appendix B). Under this alternative, all residents whose permanent residence is located within the NANA Region would be eligible to engage in subsistence activities within KOVA and CAKR without going through a 36 CFR 13.44 process demonstrating their eligibility.

This alternative would replace the current resident zone described for KOVA in 36 CFR 13.69(a) and the resident zone described for CAKR in 36 CFR 13.62(a) with one large zone. The current resident zone for

CAKR includes communities and areas of Kotzebue, Kivalina and Noatak. The current resident zone for KOVA includes communities and areas of Kotzebue, Ambler, Kiana, Kobuk, Noorvik, Selawik, and Shungnak.

Under this alternative, the resident zone for CAKR and for KOVA would include the residents who maintain their primary residence in the following communities and areas: 1) the areas within CAKR and KOVA, 2) the communities of Kotzebue, Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Noatak, Noorvik, Selawik, Shungnak, and 3) the small number of people (less than 247 based on the 2000 census) living within the region, but outside of the established communities. This would add two communities, Buckland and Deering, presently not within either resident zone to the NANA resident zone. This alternative was proposed by the SRCs to recognize the distinctive cultural characteristics of the NANA Region and the traditional and continuing subsistence practices of the Region's residents.

Although Red Dog Mine appears in the 2000 census to have 32 individuals who reside at the mine, it would be, in effect, excluded from this resident zone. Cominco/NANA policy states that persons working at the Red Dog mine may not claim Red Dog as a permanent residence. It is assumed that employees are there only for the purpose of working at the mine. Persons working at Red Dog mine therefore, would not qualify as residents of the resident zone based on their presence at Red Dog. Many employees, however, are residents of other communities within the NANA region.

Alternative C: Evaluate all individual communities within the NANA region as resident zone communities for CAKR and KOVA.

Under this alternative NPS would designate the NANA Region communities not currently included within the resident zones for KOVA and CAKR as "Resident Zone Communities" pending each community meeting the requirements as specified under 36 CFR 13.43. It is expected that all of the communities would qualify as resident zone communities for both CAKR and KOVA since 87% to 97% percent of the people within these villages are Inupiaq Eskimo. Therefore Alternative C would have the same results as Alternative B.

The communities currently not included in the CAKR resident zone are: Ambler, Buckland, Deering, Kiana, Kobuk, Noorvik, Selawik and Shungnak. 2000 Census Profiles of General Demographic Characteristics are shown in the table below. The combined population of these villages and other region residents totals 3257.

The communities currently not included in the KOVA resident zone are: Buckland, Deering, Kivalina, Noatak. 2000 Census Profiles of General Demographic Characteristics are shown in the table below. The combined population of these villages and other region residents totals 1594.

The National Park Service would solicit information from approximately 247 persons living in the NANA region outside of the villages. This information would then be used for an evaluation of subsistence eligibility for CAKR and for KOVA under 36.CFR 13.44.

Alternatives considered but eliminated from further consideration

1. Designate all villages in the NANA region as resident zone villages. Under this alternative the definition of the resident zone for Kobuk Valley National Park in 36 CFR 13.69 would be amended to include all 11 NANA regional villages. The resident zone for Kobuk Valley National Park would include Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, Shungnak, and Noatak, Kivalina, Buckland and Deering. The resident resident zone for Cape Krusenstern National

Monument in 36 CFR 13.62 likewise would be amended to include all 11 NANA regional villages. The resident zone for Cape Krusenstern National Monument would include Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, Shungnak, and Noatak, Kivalina, Buckland and Deering.

Under this alternative the land within the NANA region, but outside the boundaries of the 11 villages, would not be included in the resident zone for either CAKR or KOVA.

This alternative was rejected because it would require all NANA region residents currently living outside the boundaries of the 11 villages who wish to engage in subsistence activities in either CAKR or KOVA to apply for a subsistence use permit under 36 CFR 13.44. Requiring permits for NANA regional residents is contrary to the intent of establishing resident zones, as described above, and in the ANILCA legislative history where it is noted the benefits of the designation of resident zones included the following: 1) the NPS would be ".... spared the expense and administrative complications attendant in the implementation of a comprehensive permit system.", and 2) "...most importantly, rural communities and cultures will not be burdened by implementation of a complex, and in many instances culturally disruptive, regulatory system.." (Senate Report 96-413, 11/5/79, p. 169-170)

In addition, this alternative does not meet the expressed request of the SRCs as stated in the legislative history and hunting plan recommendation:

> "Whereas, during public hearings on the National Park Service General Management Plans held in each NANA Region village, residents identified the limited resident zone regulations as unnecessary and restrictive and regarded a general resident zone encompassing the entire region as being more reflective of traditional subsistence use patterns…" (Senate Report 96-413, 11/5/79, p. 169-170)
>
> "Over ninety percent of the residents of Northwest Alaska are Iñupiaq Eskimo people whose history of subsistence use of the area extends back thousands of years. The Commission believes the existing resident zone designations create unnecessary divisions among the people and disrupt their traditional hunting patterns. The people of the NANA Region consider themselves a cohesive social and cultural unit and have traditionally hunted throughout the area without regard to jurisdictional boundaries." (CAKR and KOVA Hunting Plan Recommendations, Appendix G)
>
> "Now therefore let it be resolved that the resident zones for the Kobuk Valley National Park and Cape Krusenstern National Monument coincide with the political boundaries of the NANA Region." (CAKR and KOVA Joint Resolution, Appendix C)

2. Eliminate the existing resident zones for CAKR and KOVA and implement a roster system for the people of the NANA region to define eligibility. The names of people considered to be qualified subsistence users of CAKR and KOVA would be listed individually on a roster. This alternative was not considered in this analysis. While this method of defining eligibility has been discussed by several SRCs there is no existing mechanism nor regulation at this time that could be used to implement it.

Description of Affected Environment

Physical Environment
The NANA Region is located in northwestern Alaska (see Fig. 1). It covers about 36,000 square miles consisting of an arctic coastal zone and an inland area drained by major rivers. The inland area is bounded by the Brooks Range to the north, the divide between the Kobuk and Koyukuk Rivers to the east and south, and the divide separating Kotzebue Sound and Norton Sound. The region has a varied topography including plains, hills, and mountains. The climate is Arctic with annual precipitation of eight to nine inches. The region is tied together by Kotzebue Sound and its major rivers, which orient area residents toward the Sound, especially in the summer.

Cape Krusenstern National Monument consists of 659,807 acres in the coastal area of the region (see Fig. 1). It is characterized by a coastal plain and lagoons backed by hills. Five small river systems are in the Monument. The climate is arctic maritime. The monument contains 218-recorded archeological sites and is both a designated national historic landmark and a designated archeological district listed on the National Register of Historic Places.

Kobuk Valley National Park covers 1,726,500 acres in the inland area of the region (see Fig. 1). The Kobuk River passes through the southern half of the park with tributary rivers and mountains to the north and active sand dunes to the south. The climate is continental arctic with more variation in temperature and precipitation than coastal areas. An important archeological site, Onion Portage, is located on the Kobuk River in the Park, and is still in use as a major caribou-hunting site.

Biological Environment
Two listed threatened species are known to occur in the area: the Spectacled eider (*Somateria fischeri*) and the Steller's eider (*Polysticta stelleri*). The U. S. Fish and Wildlife Service officially listed both birds as threatened, on May 10, 1993 and on June 11, 1997 respectively. Both species migrate along the coast of Cape Krusenstern National Monument, but neither is known to occur in Kobuk Valley National Park. No nest sites have been documented for either species in any NPS unit in the NANA region.

<u>Cape Krusenstern National Monument</u>
Vegetation at Cape Krusenstern National Monument is largely moist tundra with cottongrass tussocks, mosses, lichens and dwarf shrubs. Salt tolerant grasses and sedges lie along the coastal strand of Kotzebue Sound, alpine tundra covers higher elevations, and sparse white spruce forest occurs in the southeastern part of the Monument. The Monument itself is noted for its summer displays of low growing wildflowers, carpeting the beach ridges.

Cape Krusenstern National Monument is notable primarily for its fish and marine mammal resources. Fish include four species of whitefish, sheefish, two species of salmon, northern pike, burbot, Dolly Varden, herring, saffron cod, smelt, flounder, and sculpin. Important subsistence fisheries include the early summer fishery targeting out-migrating Dolly Varden and sheefish in the vicinity of Sesualik and Rabbit Creek, mid summer chum, and the harvest of whitefish throughout the winter where they have concentrated at blocked lagoon entrances and spring areas. Marine mammals in the vicinity include ringed seal, bearded seal, spotted seal, beluga whale, and walrus, bowhead whale), and fin whale. Marine mammals may be hunted all year when sea and ice conditions permit safe travel for hunters.

Migratory waterfowl are common in the monument. Primary subsistence species include the Canada goose, snow goose, greater white-fronted goose, tundra swan and several species of dabbling and sea ducks. An upland bird commonly harvested is the Willow ptarmigan. Krusenstern provides excellent birding opportunities for visitors in the summer months, however access is limited to boats or float-

equipped aircraft.

The monument is home to the common large mammals of the region including: muskoxen, grizzly bear, beaver, moose, fox, wolverine, and wolves. Caribou appear seasonally in the monument as they migrate south through the monument in the fall and north through the monument in the spring. These mammals are dispersed throughout the monument area, and local residents commonly harvest all species, except muskoxen. The Muskoxen population is a small, slow growing, reintroduced population and is currently closed to hunting while a management plan is developed.

Kobuk Valley National Park

Kobuk Valley National Park contains white spruce forest and open tundra, and the sand dune areas. Wet lowlands provide nesting for migratory birds. Mammals found within the park include caribou, moose, beaver, Dall sheep, brown and black bear, wolf, coyote, red fox, lynx, wolverine, river otter, snowshoe hare, arctic ground squirrel, and porcupine. Access for viewing or hunting is limited by the tussock tundra terrain primarily to the river area in the summer. Winter access by snowmachine is possible. By far, the main attraction for tourist viewing and subsistence resource harvest is the annual caribou migration that passes through the area. Thousands of animals from the Western Arctic Caribou Herd (WACH) funnel through mountain passes and cross the Kobuk River on their spring and fall migrations. The WACH presently numbers nearly 500,000 animals and although the size of the migration across the Kobuk River within Kobuk Valley National Park can vary greatly from year to year, it has been a critical resource event for subsistence-dependent people for thousands of years. Archaeological evidence at Onion Portage, within the park, reveals it as the location of caribou harvests dating back over 10,000 years.

Twenty-five species of fish are found in the Kobuk River drainage including four species of salmon, arctic grayling, Dolly Varden, sheefish, northern pike, whitefish, burbot, long-nosed sucker, slimy sculpin, and least ciscos. Salmon and Dolly Varden migrate up the Kobuk River through the park. Sport use of these fisheries is very low within the park, although shee fishing in the upper regions of the river has become a popular attraction. Subsistence fishing within the park itself has probably declined historically as many camps were abandoned and people concentrated into larger villages. Prime fishing for resident species occurs out side of the park boundaries, but some fishing does occur from fish camps. Whitefish are generally harvested in the cool spring and fall as they migrate to and from the main rivers. Pike are generally taken incidentally to harvesting whitefish. Burbot are taken in the fall during their spawning runs in traps constructed in young river ice. Occasionally sheefish are harvested within park boundaries in the fall if fishing further up river was poor due to weather.

Regional Socioeconomic Environment

The NANA Region contains eleven villages, Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Selawik, and Shungnak (Figure 1). No roads or other forms of surface transportation link the region with the rest of the state, nor are the villages connected by road. Aircraft are the primary means of transport among the villages, but barges, motorboats, snowmachines, off-road vehicles, and dogsleds also are used, especially in and around villages.

There are approximately 7,208 people living in the region. About 85% of the population of the region is Alaska Native. It is estimated that less than 247 people live in camps along the rivers and coastlines, outside of the villages. Kotzebue has nearly half of the region's population.

The economy is a mix of cash and subsistence. Half of the employment in the region is government-related. Major private employers are Maniilaq Association, the regional Native not-for-profit corporation, and the Red Dog Mine that accounts for about 15% of the region's salaried employment and 27% of its total payroll. Commercial fishing provides some seasonal employment with 181 area residents holding

commercial fishing permits. Less than 20% of those holding permits fished in the 1997 season because of the current depressed market for chum salmon. In outlying communities, cash employment is limited to a handful of jobs in the schools, clinics, local government, Maniilaq Association, and some small retail stores. Some additional seasonal employment occurs with fire fighting, construction, and barge operations. Unemployment is very high. 1999 Alaska Department of Labor unemployment rates were at 11%, which does not include anyone who has not made an active attempt to find work. The 1990 US Census unemployment data showed 42% of the adults surveyed were not included in the labor force. Food costs in Kotzebue are approximately 56% higher than Anchorage, and costs in outlying villages are higher. All the villages within the region have a high dependence on subsistence uses of wild renewable resources as a key component of their economies.[6] For additional information about individual village subsistence uses, see Appendix C.

Available information supports the SRCs' assertion that the people of the NANA Region are essentially one people. The region has a high level of cultural unity. Approximately 85% of the region's residents are Alaska Natives, primarily Inupiaq Eskimos. These people have direct cultural and ancestral links within the region to the people of the Kotzebue Period of some 500 to 600 years ago. The people of the Kotzebue Period developed the fishing technology that made year round occupation in the interior possible. They were also part of a broader cultural tradition in northwest Alaska that stretched back about another 3,600 years. People from this tradition developed the techniques for harvesting sea mammals that are so often associated with Eskimo people. For the most part, the people of the NANA region share a liguistic heritage that distinguishes them from other Eskimo people living to the north in the Arctic Slope Region or to the south in the Bering Strait Region.[7] The Inupiaq Eskimos are very different linguistically and culturally from the Athabaskan Indian people living to the east.

The people of the NANA Region are also closely linked to each other through an intricate web of kinship ties, and a sense of traditional self identity that they are one people. The region's cultural unity or homogeneity is further supported by considering the organization of the Region's Alaska Native Claims Settlement Act (ANCSA) Native corporations. Unlike most other Native corporations in the state, the residents of the NANA Region, except for Kotzebue, chose to merge their village corporations with the regional corporation. While this arrangement may make economic sense, it also reflects the perceptions of the people that they are one people. Additional support for the region's cultural unity and self identity may be gathered from the boundaries drawn for the regions' school district, borough, voter registration district, and game management unit. All are generally coincidental with the NANA boundary, although some predate the formation of the regional corporations by decades.

Mobility within the region has been a major contributor to the establishment of social ties and cultural unity. At the beginning of the 1800s, the region had a population of about 5,300 people, a figure not surpassed until the mid 1980s. The people were dispersed throughout the region in about 206 fall/winter settlements, allowing them to harvest the widely distributed and variable resources in the region. The people grouped into ten societies, each closely associated with a distinct territory. These people were linked, however, through kinship, trading, ceremonies, and political alliances. These linkages allowed for an exchange of resources and direct access, including harvesting as needed, of one another's resources. There existed a complex pattern of seasonal movements, some of which led to down river movements and convergence at places like Sesualik (within today's Cape Krusenstern National Monument) and Kotzebue for the harvest of resources and "trade-fairs." The peoples who inhabited the Upper Kobuk and Upper Noatak Rivers provided a good example of these patterns. Each summer, the Upper Noatak people temporarily vacated their land to travel in mass to the coast to participate in the major beluga hunt and the Sesualik fair. Meanwhile, the people of the Upper Kobuk would send a few families down river to the coast and fair to

[6] See the NANA Region Coastal Management Plan Concept Approved Draft Volume 2 Background Report 1985 page 6 .
[7] For detailed information on the linguistic relationships refer to Fortescue, Jacobson, and Kaplan(1994:viii,ix,xii).

obtain sea mammal products. Most of the remaining Kobuk men walked into the temporarily vacant territory of the Upper Noatak to hunt for caribou, marmots, and mountain sheep, while the remaining women stayed home and fished. Resource shortages also prompted increased mobility. The people of the Selawik River Flats illustrate this well. Caribou has long been a major resource upon which people have depended. When caribou were abundant, the people of the Selawik River Flats could hunt close to home within a radius of about 30 miles. When the great caribou decline came in the late 1800s, the people had to travel north into the Noatak Valley (a minimum distance of 100 miles) or eastward as far as the Koyukuk River (a minimum distance of 140 miles).[8]

Periodic resource failures, along with accompanying famines and epidemics, reduced the human population of the region and kept it in a state of flux. Territory was abandoned or temporarily vacated, only to be occupied by people from adjacent territories within the region, or perhaps by survivors or descendants from the original occupants. The last population decline coincided with the rise of Euro-American social, political, and economic influences in the region. This resulted in the consolidation of people into fewer but larger communities, current regional villages, where schooling, medical services, and some jobs were available.

Current hunting practices still reflect the traditional mobility of the region. In 1994, when winter caribou were absent in the northern part of the region, hunters from Noatak, Krusenstern, and Kotzebue journeyed south to Buckland and further (100 miles and more) to harvest animals for winter meat. When caribou cross the Kobuk River in the fall, depending on their route, hunters may have to travel over 100 miles up river to catch animals in the fall migration. Other families with relatives upriver, may receive essential meat caught 50 to 100 miles from their homes.

The developing need to integrate subsistence and the cash economy has further increased resident mobility in the region. Most job opportunities in the region remain seasonal and of limited duration. Wage earning opportunities are balanced with subsistence harvest opportunities in a shifting mosaic depending upon a family's needs and priorities. This has resulted in a pattern where regional residents migrate between a village and the regional center and other villages to gain access to jobs or services. Improvements in transportation technology have helped compensate for the consolidation into fewer villages by allowing more time-efficient access into areas that once required seasonal movements, extended periods of travel, or even relocation.

The Federal Subsistence Board determines which communities or areas have demonstrated customary and traditional uses of fish and wildlife resources on federal public land (50 CFR 100.16). Within Northwest Alaska, there is a strong congruence between the area encompassed by Game Management Unit 23 and the area encompassed within the Northwest Arctic Native Association (NANA) Region. Where determinations have been made (Subsistence Management Regulations for the Harvest of Fish and Shellfish on Federal Public Lands and Waters in Alaska 2002-2003 and Subsistence Management Regulations for the Harvest of Wildlife on Federal Public Lands in Alaska 2001-2002), the Federal Subsistence Board has determined that rural residents of Unit 23 have customary and traditional use of black bear, brown bear, caribou, and moose within Unit 23, and residents of the Kotzebue Area have customary and traditional use of all fish species in the Kotzebue Area. Only muskoxen and sheep are more restrictive, separating out by communities north and south of the Arctic Circle. Of the eleven communities within the NANA Region, two lay south of the Arctic Circle, with the other nine laying north. These Federal Board determinations look heavily at cultural patterning. They are also basically congruent with the SRCs' assertions about flexibility of resource use within the NANA region and the cultural oneness of the region.

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[8] From: Burch, Ernest S, Jr. 1984. Kotzebue Sound Eskimo. In Handbook of North American Indians, Volume 5, Arctic, Page 303-319, Edited by David Damas, Smithsonian Institution, Washington, DC.

NANA Region Village Statistics[9]

Village	Population	Percent Inupiaq	Currently in CAKR Resident Zone	Currently in KOVA Resident Zone
Ambler	309	87	no	yes
Buckland	406	97	no	no
Deering	136	94	no	no
Kiana	388	93	no	yes
Kivalina	377	97	yes	no
Kotzebue	3082	77	yes	yes
Kobuk	109	94	no	yes
Noatak	428	96	yes	no
Noorvik	634	95	no	yes
Selawik	772	95	no	yes
Shungnak	256	95	no	yes
Residual	247			
TOTAL NANA population[10]	7208			
CAKR resident zone	3887			
KOVA resident zone	5550			
Neither resident zone	542			
Both resident zones (Kotzebue)	3082			

[9] United States Census Bureau, Census 2000, Profile of General Demographic Characteristics, 2000 Census of Population and Housing – Alaska. U.S. Department of Commerce, Washington D.C.

[10] The total population based on the 2000 census includes 32 persons listed as residing in Red Dog and who are ineligible for subsistence. That leaves a residual of 247 persons unaccounted for. In the 1998 Alaska Department of Labor populations figures there were 137 persons listed as living within the region but outside of established villages. Since there are 247 persons enumerated in the 2000 census that are unaccounted for in village totals, the assumption will be made they are residing outside of the established communities.

Summary Table of
Impacts of Alternatives

IMPACT TOPICS and ISSUES	**ALTERNATIVE A No Action Retain Existing Resident Zones,**	**ALTERNATIVE B Establish the NANA Region as Resident Zone**	**ALTERNATIVE C Evaluate Individual Communities**
COASTAL ZONE RESOURCES	No effect - no increase in use	Short term: No effect Long-term: Possible minor impact from possible increase in traffic	Same as B if all villages become resident zones
CULTURAL RESOURCES	No effect - no increase in use	Short term: None Long-term: Minor incidental impacts from potential increased traffic	Same as B if all villages become resident zones
FISHERIES	Current Federal and State regulations, customary fishing practices, and biology and environment are operating together to maintain healthy populations. Current harvest levels are not a problem.	Any increase in harvest level as a result of expanding the resident zone will be minimal and will have no noticeable effect .	Similar to B in that any change in harvest level will be minimal and not noticeable.
PARK MANAGEMENT	Potential administrative burden for evaluating over 4000 applications and issuing permits.	Reduced level of administrative burden for issuing permits.	Administrative workload of individual evaluation of 10 communities for resident zone status, and, pending outcome of community analysis, of evaluating individuals not in resident zones.
SOCIO-ECONOMIC	Inconsistent with cooperative social institutions. Additional fractionation to regional cultural affinity.	Positive effect on cooperative social institutions by sustaining cultural identity. Eliminates culturally inappropriate permit system	If all villages are found to be resident zones, affect same as B.

SUBSISTENCE	Complicated system, regulatory intrusion, user dissatisfaction. Not responsive to SRC and incompatible with traditional region-wide use patterns.	Simplified system, strengthens SRC process, and reduces regulatory intrusion for user. Responsive to SRC and compatible with traditional region-wide use patterns.	If all villages are found to be resident zones, same as B.
THREATENED ENDANGERED SPECIES	Possible incidental take of Steller's and Spectacled Eiders. It is not possible to hunt these species under migratory bird act.	Possible incidental take of Steller's and Spectacled Eiders. It is not possible to hunt these species under migratory bird act.	Possible incidental take of Steller's and Spectacled Eiders. It is not possible to hunt these species under migratory bird act.
RECREATION/ VISITOR USE	No effect.	Slight increase in interaction among user groups.	If all villages are found to be resident zone villages, same as B.
WILDERNESS	No effect.	Short-term: No effect. Long-term: Some potential for small increase boat use, less than 10 boats.	If all villages are found to be resident zone villages, same as B.
WILDLIFE AND HABITAT	Current harvest levels are consistent with maintaining healthy populations and protecting habitat.	Might result in increased harvests of some species but such increases will remain consistent with maintaining healthy populations. Habitat will remain protected.	Similar to B with actual levels depending upon number of hunters and harvest limits but all harvests would remain consistent with maintaining healthy populations. Habitat will remain protected.
IMPAIRMENT OF PARKS RESOURCES AND VALUES	No impacts likely.	No impacts likely.	No impacts likely.

Environmental Impact Analysis

.**Alternative A: (No Action) Retain Existing Resident Zone Communities**

Anticipated Change in Level of Use Under this Alternative
As noted previously, the residents of the NANA region have not begun the process of applying for individual 13.44 permits. In 1984, regional representatives initially requested the Subsistence Resource Commissions to address the issue of a unified resident zone for the entire NANA region. Subsistence hunters have continued existing patterns of use pending the outcome of the SRC's request.

The National Park Service estimates that if the 1,594 residents of the region not now in the resident zone for KOVA, did in fact apply for 13.44 permits, at least 1,394 of them would qualify based on their cultural affiliation and customary and traditional use of the resources.

The National Park Service, estimates that if the 3,257 residents of the region not now in the resident zone for CAKR, did in fact apply for 13.44 permits, at least 3057 of them would qualify based on their cultural affiliation and customary and traditional use of the resources.

Under this alternative, there would be no expected noticeable increase in the level of subsistence resource use within CAKR and KOVA.

Coastal Zone Resources
This is the status quo alternative. Visitation (by subsistence users) and use levels (harvest and related activities), and associated impacts would remain at the current level. There would be no change in effect of use on coastal zone resources. Over the long term, population growth in existing resident zone communities might result in increased visitation and use that potentially could impact coastal zone resources. Such impacts would be independent of the proposal and the issue of eligibility.

Conclusion: The existing level of subsistence uses is not producing any significant impacts on coastal zone resources. It is not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Cultural Resources
This is the status quo alternative. Visitation (by subsistence users) and use levels (harvest and related activities) with associated impacts to cultural resources would remain at the current level. Over the long term, population growth in existing resident zone communities might result in increased visitation and use that potentially could impact cultural resources, such impacts would be largely independent of the alternative and the issue of eligibility. If they occur, these impacts may require their own methods of mitigation.

Conclusion: The existing level of subsistence use is not having a significant impact on cultural resources. The level of impacts to cultural resources from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Fisheries
Many of the two park units' fish stocks are anadramous or migrate the full length of major waterways such as the Kobuk River. Their journeys take them through waters outside of National Park Service jurisdiction, where for example, they may be subject to commercial and subsistence harvests under State regulations. Currently, under Federal subsistence management, the Federal Subsistence Board has the

regulatory authority for managing subsistence harvests on Federal public lands and waters including those of Cape Krusenstern National Monument and Kobuk Valley National Park. Additionally, Federal regulations allow sport fishing in both units under State seasons, bag limits, and gear restrictions. The Federal Subsistence Board has the authority to close both park units to non-subsistence uses in order to protect the viability of the resource or the subsistence priority. The National Park Service also has certain closure authorities in its regulations. Consequently, fisheries management of CAKR and KOVA is a cooperative blend of state and federal regulation.

There is a special provision for commercial fishing and related activity in CAKR to allow historical levels of activity. In practice, this has allowed residents to support commercial fishing from their camps in the southern portion of CAKR. Commercial fishing occurs outside the boundaries of the monument. No such provision exists for KOVA and so no commercial fishing is allowed there.

Currently, the fish resources of these park units are healthy and adequately support all user groups utilizing the region. The commercial fisheries have been in decline for the past decade. The region's commercial salmon fishery in recent years has declined to less than 25 percent of what it had been. This places the subsistence and commercial salmon harvests approximately at equal levels and well below a potential level of conservation concern. The commercial Dolly Varden and sheefish harvests on regional basis are significantly below the harvest levels of the subsistence fisheries. Again, there is no conservation concern with the current level of fish harvests.

Conclusion: Current harvest levels are consistent with maintaining healthy populations. The level of impacts to fisheries from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Park Management

This alternative has the greatest potential to adversely affect park management. The park would be required to implement a permitting program evaluating up to 4,851 potential applicants for individual permits. Park staff has estimated probably less than 200 individuals would be denied permits. That could leave more than 4,651 applications to be evaluated, and permits to be issued and administered. There would be an increase in park costs associated with a permit system. Actively implementing such a program would be contrary to the request from the SRCs. An individual permit system would be unpopular with local residents and likely result in decreased compliance with any NPS regulations. Over time, organizational effectiveness could be reduced.

Conclusion: The level of impacts to park management from this alternative are not currently resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Recreation/Visitor Use

There would be no change in the current pattern and frequency of interaction between recreational and subsistence user groups.

Conclusion: The current level of subsistence use is not having a significant impact on recreational use. The level of impacts to recreational or visitor use from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Regional Socio-economics

This alternative would perpetuate the existing system, which designates some people who reside in resident zone communities of the region as being within the resident zone for subsistence access to Cape Krusenstern National Monument and Kobuk Valley National Park and requires others in the region outside the resident zone to obtain a 36 CFR §13.44 permit. This system is perceived as dividing the people into two groups. This alternative would be inconsistent with the social and cultural identity of the people of the region. Between 87 to 97 percent of the residents of the NANA region village residents are Iñupiaq, Kotzebue is 77 % Iñupiaq. As expressed in the Joint Resolution (Appendix B), the Inupiaq people of the region consider themselves to be one group. Continuing the existing system would be contrary to the intent expressed in the SRC Joint Resolutions and ANILCA 801 and 802.

This alternative would require persons living outside the current resident zones to obtain a permit under 36 CFR §13.44 permit. It is estimated that 95% of those persons living within the region and outside of the current resident zone, would qualify for this permit. This alternative would be inconsistent with the stated intent to not burden rural communities and cultures "...by implementation of a complex, and in many instances culturally disruptive, regulatory system..." (Senate Report 96-413 p.170 and ANILCA 801 and 802.)

Conclusion: While the effects of this alternative on regional socio-economics are currently probably minimal, it has the potential to be corrosive, disrupt traditional patterns, and create an unnecessary burden on subsistence users. The level of impacts to the socio-economics of the region from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Subsistence

Adoption of this alternative would continue the system requiring permits for NANA region residents outside the Resident Zone, an estimated 95% of whom would qualify for the 36 CFR §13.44 permit. This alternative is inconsistent with stated legislative intent that "communities and cultures will not be burdened by implementation of a complex, and in many instances culturally disruptive, regulatory system..." (SR96-413 p.170)

This alternative is not responsive to the Subsistence Resource Commission recommendation. Because there are no resource impacts anticipated from the proposed Alternative B, adoption of alternative A would be viewed as an indication of an unwillingness on the part of the National Park Service to consider the recommendations of its appointed advisory commissions, and could make future cooperation with subsistence users more difficult.

The level of subsistence use would not significantly change under this alternative and so populations would not be reduced. However, access would remain difficult or restricted for many of the region's residents who are not presently included in a resident zone community. Those residents would find it much more difficult to adjust their harvest patterns to meet changing conditions in a timely manner. There would be no significant increase in competition. The Section 810 Analysis, Appendix A, contains detailed subsistence impact information as mandated by ANILCA.

Conclusion: Populations of fish and wildlife continue to be healthy. Impacts on subsistence uses are currently minimal. The level of impacts to subsistence activities from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Threatened and Endangered Species

As both threatened eider species, Steller's and spectacled, migrate past Cape Krusenstern National

Monument. Residents in the NANA region are known to hunt waterfowl during the spring and fall migrations. According to the Alaska Department of Fish and Game Subsistence Division database, no residents of the four documented villages in the NANA Region (Deering, Kiana, Noatak, and Shungnak) are shown to take spectacled or Steller's eiders. These data, however, do not address other villages in the region. Residents of Deering frequently take common eiders, a much larger and preferred species. Steller's eider is the smallest of the four eider species, and the spectacled is the next smallest eider species. Because eiders travel in mixed flocks and the larger common and king eiders are sought by subsistence hunters, there may be incidental take of Steller's and spectacled eiders with the no action alternative.

Conclusion: The level of impacts to threatened and endangered species from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wilderness

Adoption of this alternative would have no effect on the designated wilderness area in Kobuk Valley National Park. This alternative represents the status quo and use levels would not be expected to change.

Conclusion: The level of impacts to designated wilderness from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wildlife and Habitat

Subsistence harvests of (and consequently pressures upon) fish and wildlife resources are affected by a complex interplay of environmental, biological, social, economic, and regulatory factors.[11] Whenever important resources are found closer to home in quantities to meet needs, people will tend to harvest closer to home.[12] Resources like vegetation (including greens and berries), most fish, and moose tend to fall into this category. Sometimes some resources such as some fish or marine mammals occur in such abundance at a given location (like Sesualik in Cape Krusenstern National Monument) that they may draw people from a much greater distance. Some furbearers may occur in low enough density that they must be pursued over a wider area. Some small game may be harvested opportunistically wherever people happen to be and thus may be harvested from a wide area. And, in the case of a very important resource like caribou that may fluctuate greatly in its abundance and distribution from season to season or year to year, people will expend great effort and travel long distances if necessary to harvest the resource. On top of all this is the fact that subsistence hunting and fishing is currently regulated by the Federal Subsistence Board (50 CFR § 100.10 (d) through its setting of season and harvest limits, establishing eligibility, and imposing harvest restrictions in order to maintain viable fish and wildlife populations and provide for the subsistence priority where necessary. Seasons may be lengthened and harvest limits increased when resources are abundant, and seasons may be shortened or eliminated and harvest limits reduced when resources are in a decline. Current harvest levels in both park units are consistent with maintaining healthy populations of wildlife and preserving habitat.

Conclusion: Wildlife populations are currently healthy and habitat is being protected. The level of impacts to wildlife and habitat resources from this alternative are not resulting in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

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[11] See pages 19,19a, 19b, and 20 of the NANA Coastal Management Plan for an example of how some of these factors influenced fishing in Kiana between 1975 and 1976. See References Section for full citation.

[12] For examples of resource use areas within the NANA Region see Schroeder et al. (1987a and b). Refer to the references section of this document for full citations.

Cumulative Effects: The cumulative effects analysis includes impacts from past, present, and reasonably foreseeable future actions in the area. Past actions in the region includes the development of the Red Dog mine and fluctuations in the Western Arctic caribou herd and other wildlife. Presently, actions in the area that potentially impact park resources include, ongoing production activities related to the Red Dog mine. Future actions which may cumulate to impact resources include Red Dog mining activity including increased production, airport expansion, coal burning or natural gas burning near the mine, development of regional transportation networks such as roads, and regional population growth. Many of these actions have or could impact NPS resources to varying degrees. The addition of the impacts from Alternative A, which are negligible or minor in nature, are overshadowed by the potential impacts from these other activities in the region.

Alternative B: NANA Region as Resident Zone (Proposed Action)

Anticipated Change in Level of Use Under this Alternative

On paper, there would be a substantial increase in the number of eligible subsistence users for both Cape Krusenstern National Monument (up to an additional 3,257 users) and Kobuk Valley National Park (up to an additional 1594 users) under this alternative. However, as the State of Alaska has commented in its 1994 review (Appendix F of this document) of the SRCs hunting plan recommendations, "Although this action would increase the number of persons eligible for subsistence, the actual increase in subsistence use of the park is expected to negligible and the biological impacts will be insignificant." Increasing the pool of eligibles does not necessarily translate into an equivalent increase in actual usage or harvest level in a subsistence based economy. What this Alternative accomplishes is to facilitate the legal opportunity for some users now legally excluded to readily adapt their harvest strategy to meet changing conditions within the region in accordance with the resources' biological capacity to absorb that increase in order to meet their subsistence needs. In other words, the level of subsistence harvest use will reflect the status or abundance of the resource for the most part. Someone from the community of Deering is generally not going to go to Cape Krusenstern (approximately 70 air miles distant) to hunt caribou unless caribou are abundant at Cape Krusenstern and are essentially absent from the area near Deering. To do otherwise would run counter to one of the established characteristics of a subsistence based economy – it is characterized by "efficiency and economy of effort, and cost., conditioned by local characteristics".[13] Perhaps an occasional excerption, for example, might be found where perhaps a hunter from Deering was visiting relatives in Kotzebue and joined his relatives for a hunt in Cape Krusenstern. There is, however, another category of user (recent and/or relatively short term residents)that might pose more of a problem for some resources. A minimal increase might come from an estimated maximum of about 215 persons who would now qualify as members of a resident zone community but who would have been unable to qualify for a 13.44 permit under Alternative A. A construction worker moving into the community of Selawik for two years to work on the sewer construction project or a short term teacher would be examples. Their impact on the resources would most likely be noticed where you have relatively small populations of charismatic animals with trophy value like Dall sheep or muskoxen if a hunt was opened in Cape Krusenstern. Brown bears might be another good example of a resource where effects might be noticed. These people very likely would have the resources to expend and the inclination to seek such game where your average subsistence user in the same community would not. However, the Federal Subsistence Board or the National Park Service has the authority (50 CFR § 100.17) to implement Section 804 of ANILCA that is intended to address the need to restrict harvests within eligible user groups both to protect the resource and to protect the subsistence priority.

[13] See 50 CFR § 100.16(b) for the criteria the Federal Subsistence Board uses in making its Customary and Traditional Use determinations and specifically (b) (3) for economy of effort and cost.

There are currently approximately 7200 residents in the region. The populations of the eight villages which would be added to the CAKR resident zone and the four villages which would be added to the KOVA resident zone under this alternative, range from 87% to 97% Inupiaq Eskimo. Growth is less than 4% per year. The population of the region is approximately 7,200 people. 215 represents 3% of the resource users.

If, in the long term, there is a substantial change in population and/or change in the population composition of the villages, there could be a large increase in the number of users who only qualify for subsistence use in the park units by virtue of the fact they are within a resident zone. However, if that change were to occur, National Park Service regulations [36 CFR 13.43(b)] allow the National Park Service to evaluate and remove a community from a resident zone if it fails to meet the criteria set forth in 36 CFR 13.43 (a)(2). These criteria basically call for a community containing significant concentrations or rural residents who have customarily and traditionally engaged in subsistence uses within the specific park or monument. Once a community was removed from a resident zone, its members would be required to apply for a 13.44 permit. It should be noted that Kotzebue (with a population of 3082), which contains almost half of the region's entire population, would remain as a resident zone community under Alternative A.. Demographic changes in growth and composition are likely to be of a greater magnitude in Kotzebue, swamp such changes occurring in the other communities, and be a source of greater concern to managers with respect to use of and impacts on wildlife resources. Again, the same tools would be available under ANILCA, 50 CFR and National Park Service regulations for addressing these concerns.

Conclusion: The level of impacts to subsistence use anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Coastal Zone Resources

Over the short term, no change in impacts are expected as subsistence use and related activities are expected to remain basically the same as now exist. Over the long term, impacts are expected to be minor. Any noticeable increases in uses are most likely to occur in marine waters (with only slight increase in associated on shore activity) or inland along the Kobuk River corridor in the fall, and over broader areas in the winter when snowmachine access is feasible. Levels of use will not likely increase or be allowed to increase to the point that there would be a noticeable impact on coastal zone resources.

Conclusion: The level of impacts to coastal zone resources are not expected to significantly increase under this alternative. They would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Cultural Resources

Over the short term, no change in impacts would be expected as visitation by subsistence users and use levels (harvest and related activities) are expected to remain basically the same as now exist. Any noticeable increases in uses would be most likely to occur in marine waters (with only slight increases in associated on shore activity), inland along the Kobuk River corridor in the fall, and over broader areas in the winter when snowmachine access is feasible. Over the long term, impacts to archeological resources would be expected to be minor. There may be potential impacts from wave action due to boat traffic, or snowmachine trails compacting soils in the spring. The NPS would continue to carry on a cultural resources inventory and monitoring program that would aid in identifying and preventing or mitigating impacts to cultural resources. Over both the short and long terms, adopting a regulatory and management framework that reflects and is compatible with customary and traditional practices of the region would ensure the national interest in protecting the subsistence way of life and those cultures associated with it.

Conclusion: The level of impacts to cultural resources anticipated from this alternative are not expected to significantly increase. They would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Fisheries

Fisheries management would remain a cooperative blend of State and Federal regulation as in Alternative A. Subsistence fisheries of resident species are generally conducted in close to the respective communities of residents. Enlarging the resident zone to incorporate additional communities within the region is not anticipated to significantly affect participation in the harvest of resident species. Migratory species such as chum salmon or sheefish have historically drawn regional residents to concentration points on a seasonal basis. The most productive concentration points (the immediate vicinity of Kotzebue for chum salmon and winter sheefish and the upper Kobuk for summer sheefish) are outside both the park units. Migrant species do transit the park units, but since much heavier concentrations are available outside the park unit boundaries the effect of broadening the residence zone will be similar to that of the resident species fisheries. Likewise, the commercial salmon fishery provisions for CAKR will not have much attraction for new commercial fishing effort since the monument is somewhat removed from the most productive commercial fishing sites.

Conclusion: Existing patterns and levels of fishing would not noticeably change as a result of the proposal. The level of impacts to fisheries anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Park Management

Adopting this alternative would have positive and beneficial impact on park management. First, it would eliminate the need for developing a costly and perhaps complex permit system. Second, goodwill and working relations with people in the region may be enhanced. Establishing a regulatory regime that reflects, and is compatible with, customary and traditional practices within the region would help build respect and credibility for the NPS, as well as being in compliance with ANILCA Sections 801 and 802. This would contribute to improved organizational effectiveness and prevent the need to hire additional staff to manage a permit system.

This alternative would be responsive to the recommendations of the Subsistence Resource Commissions. Even though the response has been delayed, acceptance of the recommendation would be a demonstration of NPS willingness to consider the input of their advisory commissions, and will enable the NPS to work more closely with the SRC on future subsistence management issues.

Conclusion: Park management might benefit form improved relationships with park neighbors. The level of impacts to park management anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Recreation/Visitor Use

Park officials estimate that 2,000 recreational users visit Cape Krusenstern National Monument each year. One of the primary attractions for visitors to the region is ecotourism, and the experience of visiting an Eskimo culture which remains in its environment, maintaining cultural ties to the landscape through subsistence activities. Although the potential for interaction between subsistence users and recreational users is small, subsistence activities may not be incompatible with recreational use, and, in fact may enhance it. Visitors generally value the opportunity to observe Inupiaq Eskimos pursuing traditional subsistence activities. Subsistence uses of CAKR during the summer season are limited to the coastline,

and marine mammal and fish uses. This alternative would have no impact on those uses.

River travelers, backpackers and wildlife photographers visit Kobuk Valley National Park during the summer and fall seasons, and few long-distance mushers and snowmachine travelers visit the park in winter. A primary attraction to the area in September for both subsistence and recreational users is the fall caribou migration. This interaction may be positive or negative, depending on the visitor and their expected experience. A positive experience may be derived from observing Inupiaq natives engaged in traditional subsistence activities. Alternatively, it may be a negative experience for a photographer who wishes to photograph caribou crossing a river without any sign of human impacts.

Conclusion: Impacts on recreation use will be minimal. The level of impacts to recreational or visitor use anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Regional Socio-economics

Under this alternative, the residents of the region would be considered as one group, with equal access to subsistence resources on National Park Service lands. This would be consistent with the wishes of the residents of the region, as expressed by the Subsistence Resource Commission and in the Joint Resolution (Appendix B). This alternative would maintain the cultural unity and cooperative social institutions existing in this predominately Iñupiaq area.

The residents of the region have expressed a desire to be identified as one cultural group of people in terms of subsistence and access to subsistence resources. Under this alternative there would be no need for a 13.44 permit system for any resident within the region. The primary impact would be to eliminate the need for approximately 4,851 persons living outside current resident zone villages to apply for a subsistence permit under 36 CFR §13.44, and demonstrate their eligibility according to the 13.44 criteria. Without direct access to village stores, mail, and services, the estimated 247 residents who permanently reside outside the villages of the region represent the subsistence users who are most dependent upon the subsistence resources.

Conclusion: Subsistence opportunities will be enhanced resulting in an improved socio-economic base for the region's residents. The level of impacts to the socio-economics of the region anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Subsistence

This alternative would provide a simplified system for subsistence user eligibility by eliminating the need for 36 CFR §13.44 permits for residents within the region residing outside the existing resident zone. This is consistent with the expressed legislative intent of the resident zone concept as stated in Senate report 96-413, p.170. About 95 percent of the residents of the villages and areas, which would be added to the existing resident zone are Iñupiaq Eskimo (2000 Bureau of Census). The NPS assumes almost all of these people would currently qualify for the §13.44 permits.

This alternative would be compatible with traditional social and cultural subsistence resource use patterns of the Iñupiaq residents of the region. The overall impacts to subsistence uses and access are beneficial, but the actual short-term and long-term changes would be minimal to negligible.

Subsistence harvests would fluctuate in line with changes in distribution and abundance of the resource. Therefore harvest levels would not result in a significant reduction in populations. This alternative provides the greatest flexibility to the residents of the region in allowing them to conveniently adapt their harvest

patterns to meet changing conditions. There would be no significant increase in competition. The Section 810 Analysis, Appendix A, contains detailed subsistence impact information as mandated by ANILCA.

Conclusion: Traditional patterns of subsistence uses will be strengthened and unnecessary obstacles to the residents being able to readily adjust their harvest patterns to changing conditions will be removed. The level of impacts to subsistence activities from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Threatened and Endangered Species

Both threatened eider species, Steller's and spectacled, migrate past Cape Krusenstern National Monument. Residents in the NANA region are known to hunt waterfowl during the spring and fall migrations. According to the Alaska Department of Fish and Game Subsistence Division database, no residents of the four documented villages in the NANA Region (Deering, Kiana, Noatak, and Shungnak) are shown to take spectacled or Steller's eiders. These data, however, do not address other villages in the region. Residents of Deering frequently take common eiders, a much larger and preferred species. Steller's eider is the smallest of the four eider species, and the spectacled is the next smallest eider species. Though eiders may fly in mixed flocks, hunters select for the largest specimens. Steller's eiders are avoided in general. The proposed change in resident zone for Cape Krusenstern National Monument could attract additional hunters to the coastal area, but eiders generally land at sea, not inland, so the proposed action should not have any appreciable affect on hunter access to eiders. The proposed action may lead to a negligible increase in incidental take of Steller's and spectacled eiders

Conclusion: There would continue to be a possibility of a minimal incidental take of Steller's and spectacled eiders. However that take would likely be no greater than that under Alternative A. The level of impacts to threatened and endangered species anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wilderness

This alternative would have no short-term effect on designated wilderness. The only designated wilderness affected by the SRC recommendations is in the southern portion of Kobuk Valley National Park. The primary subsistence use in the designated wilderness is berry picking, because it is distant from the summer river and winter trail access routes. There is no anticipated increase in subsistence use from adoption of this alternative because the villages who traditionally use the designated wilderness areas for berry picking are currently in the established resident zone and would remain so.

This alternative would allow for a potential increase in qualified subsistence users of Kobuk Valley National Park by less than 50 persons. That is the maximum number of non-Native, perhaps non-traditional residents from Deering, Buckland, Kivalina, and Noatak which may be included in the resident zone but may not qualify for a 13.44 permit. It is possible that, in the long run, some of those persons may travel the distance to Kobuk Valley if subsistence resources become scarce in their immediate vicinity. There may be a small increase in boat traffic use on the Kobuk River and of snowmachine use on the winter trail. These routes cross, or are adjacent to, 10 miles of designated wilderness.

Conclusion: There will be no significant impacts to wilderness. The level of impacts to designated wilderness anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wildlife and Habitat
Harvest levels for some species might increase somewhat but would remain consistent with maintaining healthy populations.

Overall, adoption of this alternative would have a negligible effect above current levels now existing under Alternative A on wildlife populations and habitat. The increase in numbers of qualified subsistence users would be in areas farther from currently used resources, and the NPS does not expect a change in hunting patterns as a result of this alternative. Any negative impact on natural and healthy animal populations would be mitigated by adjustment of seasons and harvest limits.

Conclusion: Harvest levels will remain consistent with maintaining natural and healthy populations, and habitat will remain protected. The level of impacts to wildlife and habitat resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Cumulative Effects: The cumulative effects analysis includes impacts from past, present, and reasonably foreseeable future actions in the area. Past actions in the region includes the development of the Red Dog mine and fluctuations in the Western Arctic caribou herd and other wildlife. Presently, actions in the area that potentially impact park resources include, ongoing production activities related to the Red Dog mine. Future actions which may cumulate to impact resources include Red Dog mining activity including increased production, airport expansion, coal burning or natural gas burning near the mine, development of regional transportation networks such as roads, and regional population growth. Many of these actions have or could impact NPS resources to varying degrees. The addition of the impacts from Alternative B, which are negligible or minor in nature, are overshadowed by the potential impacts from these other activities in the region.

Alternative C: Evaluate all individual communities within the NANA region as resident zone communities for CAKR and KOVA.

Anticipated change in level of use under this alternative
Based on preliminary analysis, and regional characteristics, it is expected that all of the NANA villages, if evaluated according to established 13.43 procedures, would qualify as resident zone communities. Therefore, in the analysis of Alternative C, it is assumed that all villages would qualify as resident zone communities if a 36 CFR 14.43 analysis was completed, and individual families living in remote areas would also qualified for subsistence permits under 36 CFR 13.44.

Under this alternative, impacts to fish and wildlife populations and habitat would be similar to Alternative B and remain consistent with maintaining healthy populations and protecting habitat.

Coastal Zone Resources
Same as B. There would be a small potential increase in river traffic under conditions of resource scarcity.

Conclusion: The level of impacts to coastal zone resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Cultural Resources
Impacts would be similar to B if all communities were found to be resident zones. A small potential increase in river traffic may have a small erosional impact on cultural resources along the river. The NPS

cultural resources division monitors impacts and mitigates if appropriate.

Conclusion: Impacts to cultural resources would not be significantly different than under Alternative C and these would be minimal. The level of impacts to cultural resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Fisheries

Fisheries management would remain a cooperative blend of State and Federal regulation as in Alternatives A and B. Impacts would be similar to those in Alternative B. There would be no noticeable change in existing patterns and levels of fishing under this alternative.

Conclusion: Impacts would be similar to those in Alternative B. There would be no noticeable change in existing patterns and levels of fishing under this alternative. The level of impacts to fishery resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Park Management

Adoption of this alternative would necessitate community analysis of 10 regional villages. Comprehensive, quantitative subsistence harvest data exists for only four of the villages. Ten villages have subsistence use areas mapped for some selected resource categories spanning about a 60-year period. The amount of harvest data available for many of the region's eleven villages is insufficient for analysis of traditional patterns of resource use by each separate village for each park unit. Community analysis would require extensive research, a dedicated position for ethnography, and would be expected to take longer than five years.

In addition to data issues and expense, this alternative could be viewed as culturally insensitive. The SRCs have stated that establishing individual resident zone communities is divisive to the region. This individual emphasis is perhaps the most distinctive difference between Western and Native cultures. By pursuing the Western emphasis on individual evaluation, the Park Service may be viewed as demonstrating a degree of cultural insensitivity. This disregard for cultural values would be damaging to NPS relations within the region and with Native organizations, governments and advisory groups. For management of park units embedded within traditional Native regions, such as this, cultural awareness is critical.

Conclusion: Impacts to park management would be very similar to those under Alternative B. The level of impacts to park management anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Regional Socio-Economic

This alternative would have a negative effect on cooperative social institutions. As stated above, establishing individual resident zones could be viewed as divisive to the region; all people of the region are not part of a cultural unity, but, by reason of current residence, they may be considered separately and individually.

Conclusion: It is likely that this alternative would produce some minimal but negative effects compared to Alternative B. The level of impacts to the socio-economics of the region anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Subsistence
If all communities evaluated were found to be qualified as resident zones, effects would be similar to alternative B. The system would be simplified in that individual permits would not be required for residents of villages. However an analysis would be expected to take at least five years, during which time the complex permit system would still be in effect.

Affects on fish and wildlife populations including reduction in populations would be similar to those in Alternative B. Up to perhaps around 200 individuals might be determined to be ineligible and their access opportunities would remain closed. Access opportunities for the rest of the region's residents would be similar to those in Alternative B so this alternative would not result in a significant restriction in access. There would not be a significant increase in completion. The Section 810 Analysis, Appendix A, contains detailed subsistence impact information as mandated by ANILCA. Conclusion: Populations of wildlife would continue to be natural and healthy, and habitat would be protected. The level of impacts to subsistence resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Threatened and Endangered Species
Threatened and endangered species impacts would be similar to Alternative B. There may be a negligible increase in incidental take of Steller's and spectacled eiders.

Conclusion: The possibility of occasional, minimal incidental take, would continue as under Alternative B. The level of impacts to threatened and endangered species anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Recreation/Visitor Use
If all communities were found to be in resident zones, effects would be similar to Alternative B, no expected impacts.

Conclusion: There would be no significant impacts to recreation and visitor use. The level of impacts to recreation and visitor use anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wilderness
There would be no anticipated short-term effects of the designated wilderness of Kobuk Valley National Park. If all of the communities and persons evaluated are found to be resident zones and qualified subsistence users of KOVA, there may be an increase of around 50 subsistence users as in alternative B. The primary use of the wilderness area of KOVA is berry picking. It is doubtful that persons from these villages would journey to the dunes for berry picking because of travel expense. If resources become scarce, there may be a small increase in boat traffic where the river bounds 10 miles of wilderness.

Conclusion: There would be no significant impacts to wilderness. The level of impacts to designated wilderness resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Wildlife and Habitat
If all villages were found to be qualified for inclusion in the resident zones, the effect would be similar to

that in Alternative B. The exception would be for the estimated 247 persons living within the region but outside of the established communities. They would be required to apply for 13.44 permits. Since that number is fairly small, and it is assumed that most might qualify, the overall impact would remain almost identical to that in Alternative B. Again, the same tools as identified in Alternatives A and B above would be available for dealing with resource declines or shortages.

Conclusion: Populations would remain natural and healthy, and habitat protected. The level of impacts to wildlife and habitat resources anticipated from this alternative would not result in an impairment of park resources that fulfill specific purposes identified in the establishing legislation or key to the natural or cultural integrity of the park.

Cumulative Effects: The cumulative effects analysis includes impacts from past, present, and reasonably foreseeable future actions in the area. Past actions in the region includes the development of the Red Dog mine and fluctuations in the Western Arctic caribou herd and other wildlife. Presently, actions in the area that potentially impact park resources include, ongoing production activities related to the Red Dog mine. Future actions which may cumulate to impact resources include Red Dog mining activity including increased production, airport expansion, coal burning or natural gas burning near the mine, development of regional transportation networks such as roads, and regional population growth. Many of these actions have or could impact NPS resources to varying degrees. The addition of the impacts from Alternative C, which are negligible or minor in nature, are overshadowed by the potential impacts from these other activities in the region.

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APPENDIX A

ANILCA SECTION 810(a)

SUMMARY EVALUATION AND FINDINGS

INTRODUCTION

This section was prepared to comply with Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). It summarizes the evaluations of potential restrictions to subsistence activities, which could result from the proposal to:

Establish the NANA Region Boundary as the Resident Zones for Cape Krusenstern National Monument and Kobuk Valley National Park.

THE EVALUATION PROCESS

Section 810(a) of ANILCA states:

"In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands … the head of the federal agency … over such lands … shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, or disposition of public lands needed for subsistence purposes. No such withdrawal, reservation, lease, permit, or other use, occupancy or disposition of such lands, which would significantly restrict subsistence uses shall be affected until the head of such Federal agency-

gives notice to the appropriate State agency and the appropriate local committees and regional councils established pursuant to Section 805;

gives notice of, and holds, a hearing in the vicinity of the area involved;

determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps will be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions."

ANILCA created the following two units as additions to the national park system in Alaska:

Cape Krusenstern National Monument was created by ANILCA Section 201(3) for the purposes of protecting and interpreting internationally significant archeological resources; to preserve and interpret evidence of prehistoric and historic Native cultures in cooperation with Alaska Natives; to protect habitat for and populations of a variety of important marine and terrestrial fish and wildlife; and to protect the viability of subsistence resources. Providing local residents with a continuing opportunity to harvest wild renewable resources for subsistence purposes within the conservation units established by ANILCA is an important purpose of the overall legislation that applies to Cape Krusenstern National Monument.

Kobuk Valley National Park was created by ANILCA Section 201(6) for the purposes of maintaining the environmental integrity of the natural features of the Kobuk River Valley, including the Great Kobuk Sand

Dunes, in an undeveloped state; in cooperation with Alaska Natives, protect and interpret archeological sites associated with Native cultures; to protect habitat for and populations of fish and wildlife; and to protect the viability of subsistence resources. Providing local residents with a continuing opportunity to harvest wild renewable resources for subsistence purposes within the conservation units established by ANILCA is an important purpose of the overall legislation that applies to Kobuk Valley National Park.

The potential for significant restriction must be evaluated for the proposed action's effect upon "… subsistence uses and needs, the availability of other lands for the purposes sought to be achieved and other alternatives which would reduce or eliminate the use."

PROPOSED ACTION ON FEDERAL LANDS

This document identifies and evaluates three alternatives including the Proposed Action. These are:

Alternative A: The Status Quo alternative would retain the existing list of communities of Kivalina, Kotzebue, and Noatak as eligible for subsistence within Cape Krusenstern National Monument. This would in effect provide eligibility to approximately 3,887 of the region's residents. The region's approximately 3,257 remaining residents would technically have to individually establish eligibility and seek individual NPS permits. This alternative would also retain the existing list of communities of Ambler, Kiana, Kobuk, Kotzebue, Noorvik, Selawik, and Shungnak as eligible for subsistence within Kobuk Valley National Park. In effect it would provide eligibility within the park to approximately 5,550 of the region's residents. The remaining 1,594 residents would technically have to establish individual eligibility and seek individual NPS permits.

Alternative B: The Proposed Action, seeks to establish the area encompassed within the boundaries of the NANA Region in northwest Alaska as a single, large resident zone for both Cape Krusenstern National Monument and Kobuk Valley National Park. It would replace the current resident zones consisting of the conservation units and the identified (as listed in the CFRs) communities (three for Cape Krusenstern and seven for Kobuk Valley) as contained in 36 CFR 13.62(a) and 36CFR 13.69(a). It would include the communities of Ambler, Buckland, Deering, Kiana, Kivalina, Kobuk, Kotzebue, Noatak, Noorvik, Selawik, Shungnak, as well as the very small number of people (247 based on the 2000 U.S. census) living within the region but outside of the established communities. The action is proposed by the ANILCA established Subsistence Resource Commissions for Cape Krusenstern and Kobuk Valley under the authority of P. L. 96-487 (ANILCA) Section 808(a). The proposal is intended to recognize the distinctive cultural characteristics of the NANA Region and the traditional and continuing subsistence practices of the preponderance of the Region's residents. The Subsistence Resource Commissions maintain that the people of the NANA region are one people, that they are highly mobile within the region, and that the existing resident zone designations create unnecessary divisions among the people and disrupt traditional hunting patterns.

Alternative C: Would evaluate all the individual communities within the NANA region for addition to the CAKR and KOVA resident zones. Under this alternative, the National Park Service would designate the four communities for Kobuk Valley National Park and the eight communities for Cape Krusenstern National Monument that are not currently included as resident zones (as described in 36 CFR 13.62 and 13.69) pending each community meeting the requirements as specified under 36 CFR 13.43. For reasons laid out elsewhere in the EA, it is expected that all of the communities would qualify as resident zone communities for both CAKR and KOVA. This would add an additional 3,257 persons eligible to CAKR and 1,594 persons eligible to KOVA. The National Park Service would solicit information from the persons living in the NANA region outside of the villages. This information would then be used for an

evaluation of subsistence eligibility for CAKR and for KOVA under 36 CFR 13.44. The number of these persons is about 247.

AFFECTED ENVIRONMENT

Cape Krusenstern National Monument is located on the western shore of northwest Alaska just north of Kotzebue and contains approximately 659,807 acres. It is characterized by a low-lying, coastal plain dotted with sizable lagoons and backed by gently rolling, limestone hills. The Monument's bluffs and series of 114 beach ridges contain a chronological record of an estimated 6,000 years of prehistoric and historic uses by the region's residents. Shifting sea ice, ocean currents, and waves shape the dynamic coastline and annual openings and closing of lagoon outlets. The broad plain between the cape and the hills is tundra covered and contains such features as pingos, eskers, frost polygons, thermokarst lakes, and ice lenses. Five complete, though small, arctic river systems are important resources that influence the dynamics of the Monument's ecosystem. The entire monument is open to subsistence uses in accordance with Title VIII of ANILCA.

In terms of subsistence uses, the monument is part of a much broader area used by residents of the region. Most subsistence pursuits within the region occur across the broader landscape, often without regard to political boundaries. Depending on such variables as weather, wildlife movement, surface conditions affecting travel, and changing socioeconomic conditions, activity in the monument that is intense one year may be light or even absent the following year. Generally speaking, animals may be taken wherever they are encountered. Some species such as caribou are well known for their cycles and fluctuations in both space and time, but patterns do emerge. Caribou are hunted in the Mulgrave Hills and in the Kakagrak Hills south of Kilikmak Creek and north of Krusenstern Lagoon. Dolly Varden fishing occurs in lower Rabbit Creek. Sea mammals are hunted along the entire coastline of the monument. Waterfowl hunting and egg collecting is concentrated around Imik Lagoon, the lower part of Kilikmak Creek, and in a zone near the coast northward from Imik lagoon. Trapping and gathering of greens and berries occurs in a zone near the coast. Intensely used parts of the monument are reported to include the Sesualik Spit area, Cape Krusenstern, the mouth of Rabbit Creek, and the Ipiavik Lagoon area.

Kobuk Valley National Park is located in northwest Alaska and contains approximately 1,726,500 acres. It encompasses a nearly enclosed mountain basin on the middle section of the Kobuk River. Trees approach their northern limit in the park, where forest and tundra meet, creating a mosaic of forest and open tundra. Thousands of caribou funnel through mountain passes and cross the Kobuk River on their spring and fall migrations. Salmon and arctic char migrate to spawning grounds within the park. These and other seasonally abundant plant and animal resources have made the middle section of the Kobuk River favorable for human occupation and use. Native people have hunted, fished, and lived along the Kobuk River for at least 12,500 years, and subsistence use of the resources in the Kobuk Valley continues into the present. The entire park is open to subsistence uses in accordance with Title VIII of ANILCA.

In terms of subsistence uses, the park is part of a much broader area used by residents of the region. Most subsistence pursuits within the region occur across the broader landscape, often without regard to political boundaries. Depending on such variables as weather, wildlife movement, surface conditions affecting travel, and changing socioeconomic conditions, an activity in the park that is intense one year may be light or even absent the following year. Generally speaking, animals may be taken wherever they are encountered. Some species such as caribou are well known for their cycles and fluctuations in both space and time. The park encompasses a portion of a major migration route for the western arctic caribou herd.; a river system rich in whitefish, sheefish, Dolly Varden and other fish; a variety of edible berries, roots and other vegetation; migratory waterfowl; large mammals such as moose, black bear and grizzly bear; and a number of species of furbearers. The Onion Portage area is a very important caribou hunting site. The fall

hunt constitutes the largest single use of the park. Residents of nearly the entire region participate.

SUBSISTENCE USES AND NEEDS EVALUATION

To determine the potential impact on existing subsistence activities, three evaluation criteria were analyzed relative to existing subsistence resources that could be impacted:

-the potential to reduce important subsistence fish and wildlife populations by reductions in numbers, redistribution of subsistence resources, or habitat losses;

-what effect the action might have on subsistence fisherman or hunter access;

-and the potential for the action to increase fisherman or hunter competition for subsistence resources.

The potential to reduce populations:

Alternative A, The STATUS QUO Alternative

Current levels of use would essentially remain the same as they are now are. The existing regulations may deter some individuals living outside the resident zone communities from pursuing customary and traditional harvest patterns. This alternative will not result in a significant reduction in the populations of subsistence resources, a redistribution of those resources, or a loss of habitat.

Alternative B, The PROPOSED ACTION Alternative

Adoption of the proposal will, in effect, only give formal and legal recognition to an already existing (customary and traditional) pattern of use.

The majority of communities within the region have already demonstrated some use in both conservation units. Especially in the case of more distant communities within the region, use may be restricted to one or more key species that are of major importance, and people are drawn to the locations by the relative abundance or distribution of the resources. If the resources decline, so will human use of the area. Noatak National Preserve is already managed under a system resembling the proposal with no noticeable impacts on resources. Current regulations may deter some regional residents from following customary and traditional practices, which they may resume under the proposal.

Existing information indicates that even though everyone within the region may be eligible, not all people from the more distant communities (perhaps very few) will attempt to access or harvest from a given area at the same time or same season. Resources like vegetation, fish, and moose are generally harvested within a fairly close proximity to the village; while other resources such as caribou, sea mammals, and furbearers are likely to be harvested over much more extensive areas. Especially in the case of sea mammals and even caribou, harvest may be undertaken by small groups of hunters who often harvest for larger numbers of people who remain home. Populations of marine mammals and caribou could currently sustain harvest levels higher than what they are currently subjected to.

Over the next twenty years, the proposal would most likely produce no noticeable change in fish and wildlife numbers, redistribution of resources, or habitat loss. Any noticeable changes are likely to be brought about by such non-harvest related factors such as cyclical fluctuations in wildlife populations or major weather events.

Over the long term, if other factors were not operative, human population growth within the region[14] might result in pressures on wildlife that could produce noticeable changes. To some extent, this stress could occur even under the current regulations, without implementing the proposal. This stress could be made greater under the proposal, but there are already existing federal laws and regulations to deal with this possibility. When fish and wildlife populations are too low to meet all the subsistence demand, Section 804 of ANILCA provides for a priority determination based on three factors: 1) a customary and direct dependence on the populations as the mainstay of livelihood; 2) local residency; and 3) the availability of alternative resources. Furthermore, Section 815 (1) of ANILCA prohibits any subsistence uses of fish and wildlife within a national park or monument to be inconsistent with the conservation of natural and healthy populations. These provisions are implemented through an interactive process involving the land managing agencies, the Regional Advisory Councils, the Subsistence Resource Commissions, and the Federal Subsistence Board. The two Subsistence Resource Commissions at issue have recognized the potential problems and put forth recommendations to the Secretary of the Interior for dealing with them, should they arise. In short, the PROPOSED ACTION will not result in a significant reduction in the populations of subsistence resources, a redistribution of those resources, or a loss of habitat.

ALTERNATIVE C, INDIVIDUAL COMMUNITY EVALUATION

Levels of use would be similar to Alternative B, assuming that all the communities would qualify for resident zone status and that the majority of other people living outside of communities within the region would qualify for 13.44 permits. Therefore, this alternative will not result in a significant reduction in the populations of subsistence resources, a redistribution of those resources, or a loss of habitat.

Restriction of Access:

Alternative A: the STATUS QUO Alternative

The Status Quo alternative would leave in place the current listing of resident zone communities as contained in 36 CFR 13.62(a) and 13.69(a). Other individuals would be required to establish eligibility and obtain individual permits or be potentially denied access to the resources.

For Cape Krusenstern, it provides a legal basis for subsistence use by three communities (3,887 of the region's residents), while legally excluding eight communities (3010 residents). Of these eight, four have documented use of at least the southern shore of the unit, while seven have documented use of adjacent waters. Only one community (the third smallest in the region) lacks documented use. The current regulation is contrary to customary and traditional use and comprises a potentially significant restriction to access by customary and traditional users.

For Kobuk Valley National Park, it provides a legal basis for subsistence use by seven communities (5,550 of the region's residents), while legally excluding four communities (1,347 residents). Of these four, two have documented use of the unit, and two do not. This alternative actually provides a potential restriction to at least 12% of the region's residents.

The current regulation is contrary to customary and traditional use, and it comprises a potentially significant restriction to access by customary and traditional users.

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[14] For example, the population of the Northwest Arctic Borough (pretty much synonymous with the NANA Region) increased by almost 18% in the decade between the 1990 and 2000 U.S. Censuses.

Alternative B: The PROPOSED ACTION Alternative

Access to both Cape Krusenstern and Kobuk Valley would be legally enhanced for those residents currently living outside of the listed resident zone communities, and the administrative burden of having to acquire individual permits would be lifted. Presently, those individuals must technically establish individual eligibility and obtain a NPS permit. Adopting the proposal would bring the current resident zone system into accordance with customary and traditional practices of the region's residents. The proposal would actually enhance access. It provides the region's residents with the highest degree of flexibility in harvesting key resources when and where they are available within the region, a characteristic that was, and which remains, a hallmark of the traditional system. The proposal would not result in a restriction of access.

Alternative C: INDIVIDUAL COMMUNITY EVALUATION Alternative

The National Park Service believes that all the existing communities would qualify for resident zone status and that most other residents of the region would qualify for individual permits. Unless there was substantial growth in the region's population outside of the established communities, this alternative would be nearly indistinguishable from the proposed alternative. Over the short term there would be very little restriction to access. Over the long term, there might be more potential for restriction to access for those persons living outside of existing communities.

Increase in Competition:

Alternative A, the STATUS QUO Alternative

This action establishes the smallest pool of eligible users and could be expected to result in no overall increase in competition. In the short term, increased competition would not exist. Over the long term, increased competition may be expected because of population increases. Existing federal law in the form of ANILCA Sections 804 and 815(1) is intended to deal with times of shortage or where it is necessary to restrict the harvest. With the built-in safeguards of federal law, this action would not result in a significant increase in competition. Again, the two SRCs have considered this potential problem and have made recommendations to the Secretary of the Interior to deal with it should it arise. This alternative would not result in significant increase in competition.

Alternative B, the PROPOSED ACTION Alternative

Over the short term, the PROPOSED ACTION likely would not result in any noticeable increase in competition because use levels are not expected to increase. Long term population growth within the region, however, has the potential to significantly increase competition for certain resources such as moose, sheep, and furbearers, and fish, especially if locally increasing populations begin to spread out beyond traditional use areas. Because the proposed action provides the largest pool of eligible users without corrective measures, it could be expected to result in a higher level of competition than either of the other two alternatives. Existing federal law in the form of ANILCA Sections 804 and 815(1),as described above, is intended to deal with times of shortage or where it is necessary to restrict the harvest. It should also be noted that the two SRCs have considered this potential problem and have made recommendations to the Secretary of the Interior to deal with it should they it arise. With the built-in

safeguards of federal law, the proposed action would not result in a significant increase in competition.

Alternative C, INDIVIDUAL COMMUNITIES EVALUATION Alternative

For reasons identified above, there would likely be no noticeable increase in competition over the short term. Over the long term, an increase in competition would be expected at a level between that of the Proposed Action and the No Action alternatives if there were no safeguards. Existing federal law in the form of ANILCA Sections 804 and 815(1), as indicated above, is intended to deal with times of shortage or where it is necessary to restrict the harvest. With the built-in safeguards of federal law, this action would not result in a significant increase in competition. Again, the two SRCs have considered this potential problem and have made recommendations to the Secretary of the Interior to deal with it should it arise. This alternative would not result in significant increase in competition.

AVAILABILITY OF OTHER LANDS

The Cape Krusenstern and Kobuk Valley Subsistence Resource Commissions are requesting establishment of the NANA Region as a residence zone for both conservation units. All other federal public lands within the region are currently open to subsistence uses to the approximate scope identified in the proposed action. As such there are no other lands available for the proposed action.

ALTERNATIVES CONSIDERED

This section is provided for a discussion of alternatives that would reduce or eliminate the need to use public lands needed for subsistence purposes.

No alternatives were considered. The proposal is intended to enhance subsistence opportunities for residents in the region by extending eligibility to those residents who are now potentially excluded or would be subjected to the unwarranted administrative requirements to demonstrate individual eligibility and obtain individual permits. There is little concern of reducing other activities or initiating an undertaking on public lands that would adversely impact subsistence uses.

FINDINGS

This analysis concludes that the PROPOSED ACTION will not result in a significant restriction of subsistence uses. It does, however, find that the remaining alternatives pose legal and potentially real restrictions or unnecessary administrative burdens to those subsistence users who are now legally excluded and who should be included. With the existing situation, these restrictions could be significant for important resources like caribou.

APPENDIX B

JOINT RESOLUTION OF THE CAPE KRUSENSTERN NATIONAL MONUMENT AND THE KOBUK VALLEY NATIONAL PARK SUBSISTENCE RESOURCE COMMISSIONS

Whereas, the people of the NANA Region consider themselves a cohesive social and cultural unit with an ancient history of residency, and

Whereas, the Alaska Native Claims Settlement Act designated the boundaries of the NANA Region in recognition of the overall shared cultural and lifestyle patterns, and

Whereas, the residents of the NANA Region have historically been a highly mobile people moving between and maintaining relationships within all the villages of the region, and

Whereas, the general sparseness, seasonal availability and unpredictability of wild resources requires subsistence users to pursue subsistence resources without regard to jurisdictional boundaries, and

Whereas, the residents of the NANA Region readily travel throughout the general region in search of subsistence resources, and

Whereas, during public hearings on the National Park Service General Management Plans held in each NANA Region village, residents identified the limited resident zone regulations as unnecessary and restrictive and regarded a general resident zone encompassing the entire region as being more reflective of traditional subsistence use patterns, and

Whereas, Section 811 (a) of ANILCA ensures rural residents engaged in subsistence uses reasonable access to subsistence resources on public lands, and

Whereas, it was the intent of Congress that the National Park Subsistence Resource Commissions identify the appropriate resident zones for their respective park units,

Now therefore let it be resolved that the resident zones for the Kobuk Valley National Park and Cape Krusenstern National Monument coincide with the political boundaries of the NANA Region. Be it further resolved that the subsistence uses of the Kobuk Valley National Park and Cape Krusenstern National Monument be limited to those persons who had their primary place of residency within the NANA Region on December 2, 1980, members of their immediate families, and their direct descendants who continue to reside within the NANA Region.

Persons not qualifying under the provisions of this resolution may petition the appropriate Subsistence Resource Commissions for such privileges. The determination of the commission shall be based upon the applicant's past history of subsistence use of the region, the adherence of the individual to the subsistence

customs and traditions of the region, the protection of the valid subsistence interests of established residents, and the intent of ANILCA as stated within the appropriate Congressional Records.

June 6, 1986

Walter Sampson, Chairman
Subsistence Resource Commission
Kobuk Valley National Park

Pete Schaeffer, Chairman
Subsistence Resource Commission
Cape Krusenstern National Monument

APPENDIX C

SUMMARY INFORMATION ON NANA REGION VILLAGE SUBSISTENCE USES[15]

The village of Ambler is located on the middle stretch of the Kobuk River, about 12 miles east of Kobuk Valley National Park. The village was recently settled permanently in 1958 when people from Shungnak and Kobuk moved downstream to take advantage of the fish, wild game, and spruce trees in the area. Ambler has a population of about 322 people of which about 90% are Alaska Natives (mostly Inupiaq Eskimo). Recent research indicates that Ambler has a widespread subsistence uses area that may include all of Kobuk Valley National Park and extend westward to Point Hope in the northwest and include the marine waters adjacent to Cape Krusenstern National Monument.

The village of Buckland is located on the west bank of the Buckland River, about 75 miles southeast of Kotzebue. Buckland residents have moved from one site to another along the river at least five times in recent memory. Today it has a population of about 416 people, of which about 95% are Alaska Natives (primarily Inupiaq). Recent research indicates that Buckland has a pattern of overall use that consists of concentrated areas scattered over a very broad area. This includes a large area on the Seward Peninsula south of the village. The area also reaches northward into Kobuk Valley National Park, generally along the Kobuk River. Subsistence activities also extend along the Noatak River. While use of Cape Krusenstern was not recorded, there is recorded use of a coastal strip northward of Kivalina, about 15 miles north of the monument.

The village of Deering is located on the north side of the Seward Peninsula along the south shore of Kotzebue Sound, about 57 miles southwest of Kotzebue. Deering was established in 1901 as a supply station for interior gold mining operations. Much of the Native population moved to Noorvik in the early 1900s, followed later by resettlement from the surrounding region. Today the community has about 141 residents, of which about 94% are Alaska Natives (primarily Inupiaq). About 60% of the household heads have lived in the community for at least 20 years, with about 36% living there for at least 30 years. These people remain a subsistence-based community depending on the harvest of a wide variety of marine and terrestrial resources. The community has an estimated per capita harvest of 672 pounds of wild foods with an estimated village harvest of 99,121 pounds. In one study, almost 92% of the households sampled harvested some wild resources. Sharing is wide spread. In the same study, almost 92% of the households reported giving resources, while more than 97% reported receiving resources. Recent research indicates that Deering appears to have a widespread but scattered pattern of subsistence use. Their use includes at least a large area on the Seward Peninsula, and also south of Kotzebue Sound almost to Selawik. Other use areas consist of smaller areas clustered around the communities of Noatak, Kiana, and the northern and southern parts of Hotham Inlet and Ekichik Lake.

The village of Kiana is located along the lower stretch of the Kobuk River about 20 miles west of Kobuk Valley National Park. It has a population of about 394 people of which about 94% are Alaska Natives (mostly Inupiaq Eskimo). It is a stable community that has grown at an average annual rate of less than 1% for the last 15 years. Recent research indicates that Kiana has a fairly large and wide spread area of

[15] Specific harvest levels where provided come from the Community Profile Database and are derived from individual studies conducted mostly in the mid 1990s, but with one from the 1980s. Quantified harvest data is often unavailable for most villages, or represent only selected species, and are only very rarely available for more than a single point in time. They are presented here to provide an indication of the level of dependence on subsistence resources. Harvest areas and range of resource use are derived largely from Schroeder et al (1987) and the NANA Region Coastal Zone Management Plan. See the reference section for full citations.

subsistence uses. It includes almost all of Kobuk Valley National Park and the coastal waters adjacent to and the actual southern coast of Cape Krusenstern.

The village of Kivalina is located on the coast of northwest Alaska, about 15 miles northwest of Cape Krusenstern National Monument. Kivalina has a population of about 349 people of which about 98% are Alaska Natives (mostly Inupiaq Eskimo). It is a long established village and has traditionally been a stopping-off place for seasonal travelers between arctic coastal areas and Kotzebue Sound communities. Kivalina is a stable community that has grown at an average annual rate of just under 3% for the last 15 years. Almost 75% of the community's household heads have resided in the community for more than 20 years, with almost 63% living there for more than 30 years. Kivalina is a subsistence-based community depending on the harvest of a wide variety of marine and terrestrial resources. The community has an estimated per capita harvest 761 pounds of wild foods with an estimated village harvest of 281,744 pounds. In one study, more than 98% of the households sampled harvested some wild resources. Sharing is wide spread. In the same study, more than 90% of the households reported giving resources, while more than 98% reported receiving resources. Recent research indicates that Kivalina may have a smaller subsistence use area than some other communities such as Ambler. Kivalina's subsistence use has been recorded to extend westward from the junction of the Kugururok River with the Noatak Rive, including all of Cape Krusenstern National Monument.

The village of Kobuk is located along the upper stretch of the Kobuk River, about 50 miles east of Kobuk Valley National Park. Kobuk was founded in 1899 as a supply point for mining activities in the Cosmos Hills to the north. Some residents later moved downstream, due to erosion, to the current community of Shungnak. Kobuk has a population of about 78 people of which about 90% are Alaska Natives (mostly Inupiaq Eskimo). Recent research indicates that Kobuk has a fairly extensive subsistence use area although most of it is eastward of the Hunt River in Kobuk Valley National Park. Kobuk subsistence use area does include the southern third of the park and the marine waters adjacent to the southern coast of Cape Krusenstern.

The community of Kotzebue is located on the northwestern tip of the Baldwin Peninsula in northwest Alaska. Kotzebue is about 15 miles southeast of Cape Krusenstern National Monument, and about 100 miles west of Kobuk Valley National Park. Inupiaq Eskimo people have occupied the Kotzebue site for at least 600 years. Today it has a population of about 3,138 with about 75% of those being Alaska Natives (primarily Inupiaq). Like some other regional centers in rural Alaska, and unlike most of the outlying communities, it has significant stable population coexisting with a significant segment of transients. For example, 24% of the household heads have lived in the community for less than 10 years, but 62% have lived there more than 30 years. The community has an estimated per capita harvest 398 pounds of wild foods with an estimated community harvest of 1,067,278 pounds. In one study, 95% of the households sampled harvested some wild resources. Sharing is wide spread. In the same study, 84% of the households reported giving resources, while 94% reported receiving resources. Kotzebue has a recorded subsistence use of Kobuk Valley National Park and of Cape Krusenstern National Monument.

The village of Noatak is located on the Noatak River, about 15 miles east of Cape Krusenstern National Monument. It is currently the only settlement on the 396 mile-long Noatak River. Noatak was established as a fishing and hunting camp in the 19th century. It currently has a population of about 418 people of which about 97% are Alaska Natives (mostly Inupiaq Eskimo). It is a stable community that has grown at an average annual rate of about 4% for the last 15 years. Almost 77% of the community's household heads have resided in the community for more than 20 years, with almost 65% living there for more than 30 years. Noatak is a subsistence-based community depending on the harvest of a wide variety of marine and terrestrial resources. The community has an estimated per capita harvest of 461 pounds of wild foods with an estimated village harvest of 174,851 pounds. In one study, more than 92% of the households

sampled harvested some wild resources. Sharing is wide spread. In the same study, more than 86% of the households reported giving resources, while more than 83% reported receiving resources. Recent research indicates that Noatak has a wide spread subsistence use area that extends westward and northward of the Noatak River. It includes Cape Krusenstern National Monument, most of the Selawik River to the south of Kobuk Valley National Park, and a small area around the village of Shungnak.

The village of Noorvik is located along the lower stretch of the Kobuk River, about 50 miles west of Kobuk Valley National Park. Noorvik was established in the early 1900s by fishermen and hunters from the village of Deering about 100 miles to the southwest. They were later joined by people from the up-river Kobuk areas. Noorvik has a population of about 575 people, of which about 94% are Alaska Natives (mostly Inupiaq Eskimo). Recent research indicates that Noorvik has a very large and wide spread subsistence use area. It includes all of Kobuk Valley and the southern coast of Cape Krusenstern as well as the coastal waters along its full length.

The village of Selawik is located near the mouth of the Selawik River, about 45 miles southwest of Kobuk Valley National Park. Lt. O. A. Zagoskin of the Imperial Russian Navy first reported the village in the 1840s. Today it has a population of about 665 people of which about 96% are Alaska Natives (mostly Inupiaq Eskimo). Recent research indicates that Selawik has a fairly wide spread subsistence use area that includes the southern margin of Kobuk Valley National Park and the coastal waters of Cape Krusenstern National Monument.

The village of Shungnak is located along the upper stretch of the Kobuk River, about 40 miles east of Kobuk Valley National Park. It was originally founded by residents from today's village of Kobuk. Today it has a population of about 251 people of which about 95% are Alaska Natives (mostly Inupiaq Eskimo). Recent research indicates that Shungnak has a subsistence use area that includes at least all of Kobuk Valley National Park as well as the southern coast and adjacent coastal waters of Cape Krusenstern.

APPENDIX D

USFWS THREATENDED AND ENDANGERED SPECIES INFORMAL REVIEW

United States Department of the Interior
FISH AND WILDLIFE SERVICE
NORTHERN ALASKA ECOLOGICAL SERVICES
101 12th Ave. Box 19, Room 110
Fairbanks, AK 99701
June 7, 2002

Jerry Post
Western Arctic National Parklands
National Park Service
P.O. Box 1029
Kotzebue, Alaska 99752

Dear Mr. Post:

This letter constitutes the U.S. Fish and Wildlife Service's response to your request for an evaluation of the impacts upon threatened and endangered species of designating all lands within the Northwest Arctic Native Association (NANA) Region as the resident zone for Cape Krusenstern National Monument and for Kobuk Valley National Park.

According to the information you provided, it appears that this change will not affect the number of hunters taking eiders in Cape Krusenstern National Monument. As long as this is the case, this regulatory change will have no adverse effect upon the listed species in the area, which are the threatened spectacled eider and the threatened Alaska-breeding population of the Steller's eider. There are no threatened or endangered species within the Kobuk Valley National Park, so changes in the resident zone for this park will also have no effect upon listed species.

Please note, however, that this determination is based upon the assumption that the expansion of the resident zone will not result in an increase in waterfowl harvest in marine waters in northwest Alaska. If at any time you believe that this assumption is incorrect, please contact the Fish and Wildlife Service so that we can re-evaluate the potential impacts upon spectacled and Steller's eiders.

Thank you for your interest in protecting endangered and threatened species. If you have any further questions, please contact me by phone at (907) 456-0441 or email at Ted_Swem@fws.gov.

Sincerely,

Ted Swem

Ted Swem

APPENDIX E

SECRETARIAL RESPONSE TO SRC

United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, D.C. 20240

September 25, 1996

Mr. Pete Schaeffer
Chairman, Subsistence Resource
Commission
Cape Krusenstern National Monument
P.O. Box 1029
Kotzebue, Alaska 99752

Dear Mr. Schaeffer:

Thank you for your letter of August 24, 1993, concerning recommendations for a subsistence hunting plan for Cape Krusenstern National Monument (CAKR). The Department of the Interior (DOI) appreciates the time and energy the members of the Subsistence Resource Commission (SRC) have devoted to the development of these recommendations. Please accept our apologies for the long delay in providing this response to you. You have our assurance that we intend to provide for the continued opportunity for subsistence use of national monument resources by local rural residents as described in Titles II and VIII of the Alaska National Interest Lands Conservation Act (ANILCA). We recognize the cultural importance of subsistence, particularly in Northwest Alaska.

We are pleased to provide the following responses to your recommendations.

I. ELIGIBILITY

A. Resident Zone

The Commission has recommended that an area coinciding with the Northwest Arctic Native Association (NANA) region be substituted for eligibility purposes as the resident zone for CAKR. The Commission states that all people of the NANA region are culturally unified, continue the historical highly mobile patterns of residency among all communities within the region, and use the resources of the area encompassed within CAKR. These factors are worthy of further investigation.

The National Park Service (NPS) is obligated to examine the Commission's recommendations prior to deciding whether to modify the resident zone through.the regulatory process. Prior to any regulatory action, both subsistence impact and environmental impact assessmentst pursuant to ANILCA § 810 and the National Environmental Policy Act, must be completed. By copy of this response, we are directing the NPS to complete the appropriate subsistence and environmental assessments on the potential action

within one year of the date of this letter. After considering these assessments, the NPS will determine, in accordance with Titles II and VIII of ANILCA, whether ' to initiate rulemaking to redefine the resident zone boundary description for CAKR. The rulemaking process would include public meetings and opportunity for public comment.

B. Subsistence Resource Allocation

The Commission has also recommended that if it becomes necessary to restrict the taking of fish and wildlife for subsistence uses in order to protect the viability of fish and wildlife populations, eligibility be limited to those persons who had their primary place of residency within the NANA region on December 2, 1980, are members of their immediate families, or are their direct descendants who continue to reside in the region.

Your recommendation must be evaluated in light of the existing eligibility and allocation process which is found in ANILCA, 804. This process directs that allocation be based on three factors: "(1) customary and direct dependence upon the populations as the mainstay of livelihood; (2) local residency; and, (3) the availability of alternative resources." Your recommendation is directly linked to factor (2) above, and may also be relevant to the other two factors. The authority to make allocations among subsistence users, when necessary, lies with the Federal Subsistence Board. See 50 C.F.R. § 100-10(d)(4)(vii) & 100.17. By copy of this response, we request that the Federal Subsistence Board consider the Commission's recommendation that allocation among monument subsistence users pursuant to ANILCA § 804 for resources within. CAKR must, among other considerations, be limited to persons who had their primary permanent place of residency within the NANA region on December 2, 1980, members of their immediate families, or their direct descendants who continue to reside in the NANA region.

II. ACCESS ISSUES

A. Aircraft Impacts

The Commission has requested that the NPS study the impact of aircraft overflights on subsistence activities and consider restrictions to alleviate any impacts. The NPS can only regulate aircraft landings within NPS units; the control of airspace is within the purview of the Federal Aviation Administration (FAA). By copy of this letter, we are alerting the FAA to the Commission's concerns. There may be cooperative approaches to addressing the issues you raise which could be acceptable to all

concerned. We have directed the NPS to undertake a study of this issue to determine the nature and extent of the problem, to identify potential approaches to reducing identified impacts, and to cooperate witht he Commission and others in prodeding toward solutions.

B. Airboats

The Commission has recommended that airboats be prohibited within the Monument during subsistence hunting seasons. Airboats are prohibited at all times (36 CFR 3.6(k)) within the boundaries of federally owned lands and waters administered by or subject to the jurisdiction of the NPS (36 CFR 1.2 (a)(1)). Further, the Monument's 1986 General Management Plan (GMP) prohibits the use of airboats. See GMP at 94.

C. All Terrain Vehicles

The Commission has recommended that the traditional use of all terrain vehicles (ATVs), also known as off---:road-vehicles (ORVs), be allowed in the Monument for purposes of accessing inholdings and for subsistence use. The Commission indicates its willingness to work with the NPS to identify areas of traditional ATV use in the Monument.

While the issue of access to inholdings appears to go beyond the scope of.a subsistence hunting plan, we assure the Commission that the NPS must provide adequate and feasible access to inholdings pursuant to ANILCA § 1110(b). The Superintendent is available to work with any inholder who applies for such access to determine what method and route of access adequately and feasibly meets the inholder's needs while also minimizing impacts on park purposes and values.

With respect to,access to subsistence users, ANILCA § 811 states that residents engaged in subsistence uses shall have reasonable access to such resources. It further states that the Secretary shall permit appropriate use of surface transportation traditionally employed for subsistence uses by local residents. In the 1986 GMP for CAKR, developed.with local and general public participation, the NPS and DOI state that the use of ORV's for subsistence is not allowed "because the use has not been shown to be a traditional means of access." (CAKR GMP at 104.) To date, there has been no evidence presented to indicate that subsistence use of ORV's in CAKR is a traditional means of access for subsistence. Therefore, this portion of your recommendation cannot be implemented. .

III. AREAS OF TRADITIONAL USE

The Commission's recommendation that the entire Monument be classified a traditional use area is consistent with existing legislation (ANILCA Title II). Currently, the entire Monument is considered to be an area of traditional use for subsistence activities. Unlike many other monument areas in Alaska, the statutory language of ANILCA did not limit subsistence activities in CAKR to certain traditional use areas of the Monument. Based on research findings (some of which was conducted by the NPS), testimony and other information, Congress intended that the entire Monument be open to subsistence uses unless closures become necessary for reasons of public safety, administration, or to assure the continued viability of a particular fish or wildlife population, pursuant to ANILCA § 816.

IV. EDUCATION

The commission recommends that Northwest Areas NPS personnel have cross cultural communication training. The DOI supports this recommendation. The NPS has already provided such training for its staff in Kotzebue, and we understand that the NPS plans to continue to include cross cultural communications in the training required of Monument employees.

The SRC also recommends that joint information publications be developed and that an expanded education effort be made in regional villages. We also support this recommendation. The NPS will initiate programs, as budget allows, to accomplish these goals.

V. ENFORCEMENT

The Commission's recommendation on local hiring and exploration of cooperative Agreements is consistent with DOI objectives, except that the NPS can.not contract out its inherently federal functions of law enforcement and visitor safety.

The NPS in Alaska participates in two programs, Resource Apprenticeship Program for Students-and the Cooperative Education Program, designed to encourage local students to pursue careers with federal land management agencies.

Local hire policies are designed to facilitate the hiring of local residents. The NPS will continue efforts to hire qualified local persons whenever possible.

The NPS is currently supporting a study of cooperative management practices, models and theories, examining such cooperative management projects worldwide. The study is-specifically directed at seeking input on cooperative management issues from

residents of Northwest Alaska and identifying the potential for such practices to be implemented. The Monument Superintendent can brief the SRC on the details of this project.

The DOI supports the use of cooperative agreements, as authorized in ANILCA § 809, and contracting with local organizations/ businesses to provide certain required services for CAKR. We will recommend that the NPS explore these options wherever possible.

VI. RESEARCH AND INFORMATION NEEDS

The Commission's request for scientific information is supported by ANILCA § 808. Specific requests for information need to be formally submitted to the Superintendent of CAKR- In response to the Commission's request to be informed of NPS research in the area, we will ensure that you are so informed with respect to all research relevant to the subsistence hunting program for CAKR.

The request for cooperative agreements to accomplish research in the region is supported by ANILCA § 809. As stated, it is desirable to work cooperatively with local agencies and local Native organizations in the management of DOI lands. The study of cooperative management regimes mentioned above is a step in this direction.

Again, the DOI commends you on your efforts in addressing these complex subsistence issues. Your role in defining, monitoring and advising on the subsistence hunting program in Cape Krusenstern National Monument is a continuing one and we look forward to your future involvement and recommendations.

Sincerely,

George T. Frampton, Jr.
Assistant Secretary for
Fish and wildlife and
Parks

CC:
Federal Subsistence Board
Federal Aviation
Administration

United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, D.C. 20240

September 25, 1996

Mr. Walter Sampson Chairman, Subsistence
Resource Commission Kobuk Valley National
Park PO Box 1029 Kotzebue, Alaska 997S2

Dear Mr. Sampson:

Thank you for your letter of August 24, 1993, concerning recommendations for a subsistence hunting plan for Kobuk Valley National Park (KOVA). The Department of the Interior (DOI) appreciates the time and energy the members of the Subsistence Resource Commission (SRC) have devoted to the development of these recommendations. Please accept our apologies for the long delay in providing this response to you. You have our assurance that we intend to provide for the continued opportunity for subsistence use of national park.resources by local rural residents as described in Titles II and VIII of the Alaska National.Interest Lands Conservation Act (ANILCA). We recognize the cultural importance of subsistence, particularly in Northwest Alaska.

We are pleased to provide the following responses to your recommendations.

I. ELIGIBILITY

A. Resident Zone

The Commission has recommended that an area coinciding with the Northwest Arctic Native Association (NANA) region be substituted for eligibility purposes as the resident zone for KOVA. The Commission states that all people of the NANA region are culturally unified, continue the historical highly mobile patterns of residency among all communities within the region, and use the resources of the area encompassed within KOVA. These factors are worthy of further investigation.

The National Park Service (NPS) is obligated to examine the Commission's recommendations prior to deciding whether to modify the resident zone through the regulatory process. Prior to any regulatory action, both subsistence impact and environmental impact assessments, pursuant to of ANILCA § 810 and the National Environmental Policy Act, must be completed. By copy of this response, we are directing the NPS to complete the appropriate subsistence and environmental assessments on the potential action

within one year of the date of this letter. After considering these assessments, the NPS will determine, in accordance with Titles II and VIII of ANILCA, whether ' to initiate rulemaking to redefine the resident zone boundary description for'KOVA. The rulemaking process would include public meetings and opportunity for public comment.

B. Subsistence Resource Allocation

The Commission has also recommended that if it becomes necessary to restrict the taking of fish and wildlife for subsistence uses in order to protect the viability of fish and wildlife populations, eligibility be limited to those persons who had their primary place of residency within the NANA region on December 2, 1980, are members of their immediate families, or are their direct descendants who continue to reside in the region.

Your recommendation must be evaluated in light of the existing eligibility and allocation process which is found in ANILCA 804. This process directs that allocation be based on three factors: ™customary and direct dependence upon the populations as the mainstay of livelihood; (2) local residency; and, (3) the availability of alternative resources.". Your recommendation is directly linked to factor (2) above, and may also be relevant to the other two factors. The authority to make allocations among subsistence users, when necessary, lies with the Federal Subsistence Board. See 50 C.F.R. § 100.10(d)(4)(vii) & 100.17. By copy of this responsel we request that the Federal Subsistence Board consider the Commission's recommendation that allocation among park subsistence users pursuant to ANILCA § 804 for resources within'. KOVA must, among other considerations, be limited to persons who had their primary permanent place of residency within the NANA . region on December 2, 1980, members of their immediate families, or their direct descendants who continue to reside in the NANA region.

II. ACCESS ISSUES

A. Aircraft Impacts

The Commission has requested that the NPS study the impact of aircraft overflights on subsistence activities and consider restrictions to alleviate any impacts. The NPS can only regulate aircraft landings within NPS units; the control of airspace is within the purview of the Federal Aviation Administration (FAA). By copy of this letter, we are alerting the FAA to the Commission's concerns. There may be cooperative approaches to addressing the issues you raise which could be acceptable to all

concerned. We have directed the NPS to undertake a study of this issue to determine the nature and extent of the problem, to identify potential approaches to reducing identified impacts, and to cooperate with the Commission and others in proceding toward solutions.

B. Airboats

The Commission has recommended that airboats be prohibited within the Park during subsistence hunting seasons. Airboats are prohibited at all times (36 CFR 3.6(k)) within the boundaries of federally owned lands and waters administered by or subject to the jurisdiction of the NPS (36 CFR 1.2 (a) (1)) . Further, the Park's 1986 General Management Plan (GMP) prohibits the use of airboats. See GMP at 205.

C. All Terrain Vehicles

The Commission has recommended that the traditional use of all terrain vehicles (ATVs), also known as off -road-vehicles (ORVs) , be allowed in the Park for purposes of accessing inholdings and for subsistence use. The Commission indicates its willingness to work with the NPS to identify areas of traditional ATV use in the Park.

While the issue of access to inholdings appears to go beyond the scope of a subsistence hunting plan, we assure the Commission that the NPS must provide adequate and feasible access to inholdings pursuant to ANILCA § 1110(b). The Superintendent is available to work with any inholder who applies for such access to determine what method and route of access adequately and feasibly meets the inholder's needs while also minimizing impacts on park purposes and values.

With respect to access to subsistence users, ANILCA § 811 states that residents engaged in subsistence uses shall have reasonable access to such resources. It further states that the Secretary shall permit appropriate use of surface transportation traditionally employed for subsistence uses by local residents. In the 1986 GMP for KOVA, developed with local and general public participation, the NPS and DOI state that the use of ORV's for subsistence is not allowed "because the use has not been shown to be a traditional means of access." (KOVA GMP at 88.) To date, there has been no evidence presented to indicate that subsistence use of ORV's in KOVA is a traditional means of access for subsistence. Therefore, this portion of your recommendation cannot be implemented.

III. AREAS OF TRADITIONAL USE

The Commission's recommendation that the entire Park be classified a traditional use area is consistent with existing legislation (ANILCA Title II) . Currently, the entire Park is considered to be an area of traditional use for subsistence activities. Unlike many other park areas in Alaska, the statutory language of ANILCA did not limit subsistence activities in KOVA to certain traditional use areas of the Park. Based on research findings (some of which was conducted by the NPS), testimony and other information, Congress intended that the entire Park be open to subsistence uses unless closures become necessary for reasons of public safety, administration, or to assure the continued viability of a particular fish or wildlife population, pursuant to ANILCA S 816.

IV. EDUCATION

The Commission recommends that Northwest Areas NPS personnel have cross cultural communication training. The DOI supports this recommendation. The NPS has already provided such training for its staff in Kotzebue, and we understand that the NPS plans to continue to include cross cultural communications in the training required of Park employees.

The SRC also recommends that joint information publications be developed and that an expanded education effort be made in regional villages. We also support this recommendation. The NPS will initiate programs, as budget allows, to accomplish these goals.

V. ENFORCEMENT

The Commission's recommendation on local hiring and exploration of cooperative agreements is consistent with DOI objectives, except that the NPS cannot contract out its inherently federal functions of law enforcement and visitor safety.

The NPS in Alaska participates in two programs, Resource Apprenticeship Program for Students and the Cooperative Education Program, designed to encourage local students to pursue careers with federal land management agencies.

Local hire policies are designed to facilitate the hiring of local residents. The NPS will continue efforts to hire qualified local persons whenever possible.

The NPS ' is currently supporting a study of cooperative management practices, models and theories, examining such cooperative management projects worldwide. The study is specifically directed at seeking input on cooperative management issues from

residents of Northwest Alaska and identifying the potential for such practices to be implemented. The Park Superintendent can brief the SRC on the details of this project.

The DOI supports the use of cooperative agreements, as authorized in ANILCA § 809, and contracting with local organizations/ businesses to provide certain required services for KOVA. We will recommend that the NPS explore these options wherever possible.

VI. RESEARCH AND INFORMATION NEEDS

The Commission's request for scientific information is supported by ANILCA § 808. Specific requests for information need to be formally submitted to the Superintendent of KOVA. In response to the Commission's request to be informed of NPS research in the area, we will ensure that you are so informed with respect to all research relevant to the subsistence hunting program for KOVA.

The request for cooperative agreements to accomplish research in the region is supported by ANILCA § 809. As stated, it is desirable to work cooperatively-with local agencies and local Native organizations in the management of DOI lands. The study of cooperative management regimes mentioned above is a step in this direction.

Again, the DOI commends you on your efforts in addressing these complex subsistence issues. Your role in defining, monitoring and advising on the subsistence hunting program in Kobuk Valley National Park is a continuing one and we look forward to your future involvement and recommendations.

Sincerely,

George T. Frampton, Jr.
Assistant Secretary for
Fish and Wildlife and
Parks

cc:
Federal Subsistence Board
Federal Aviation
Administration

APPENDIX F

STATE OF ALASKA,
ALASKA DEPARTMENT OF FISH AND GAME – LETTER

to - file - hunting

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4100

Rep 2/1
Wendy
Larry
Lou
HQ RJ

January 24, 1994

The Honorable Bruce Babbitt
Secretary of the Interior
18th and C Street N.W.
Washington, DC 20240

Dear Mr. Secretary:

Governor Hickel has directed me to review the subsistence hunting plan recommendations submitted to you by the Denali, Gates of the Arctic, Kobuk Valley, and Cape Krusenstern subsistence resource commissions. My staff is working with park officials to ensure the state's active and timely participation in the commission process in the future. I believe the commission members have made important contributions to the subsistence management of national park lands in Alaska.

I request that the state's enclosed comments be given careful consideration as you determine what actions to take on these subsistence hunting plans. If you have any questions or need further information regarding our positions and concerns, please contact me at your convenience.

Sincerely,

Carl L. Rosier

Carl L. Rosier
Commissioner

Enclosure

cc: Governor's Office
Florence Collins
Raymond Paneak
Walter Sampson
Pete Schaeffer

1-KSLH

Gates of the Arctic Subsistence Resource Commission and the six other commissions are fully capable of preparing subsistence hunting plans with the technical assistance currently available. Interested organizations and the public already have the opportunity to participate in development of the plans and other commission activities.

The state urges that the National Park Service convene a meeting of the commission chairs this winter. A primary objective of this meeting should be to draft guidelines for the content of subsistence hunting plans. The commission chairs have found these meetings very useful in previous years and have requested that these annual meetings be reinstituted. Representatives of the state should continue to be invited to participate in these sessions.

Recommendation 8 opposes the proposed construction of a permanent road from the Dalton Highway to Bettles. A winter road has connected Bettles to the Dalton Highway for a number of years and provides seasonal access to and from the community. The Alaska State Legislature has not authorized expenditures for a location study to determine if a permanent road will be built. If a study is conducted and a road approved, officials estimate that construction would not begin for six to ten years.

Department of the Interior opposition to this project would be inappropriate at this time. The commission will have ample opportunity to document its specific concerns with this proposed road and request that they be given full consideration if the proposed construction project moves forward.

<u>Kobuk Valley Subsistence Resource Commission</u>
Comments on Subsistence Hunting Plan dated 8/24/93

Recommendation 1 asks that the resident zone for each commission correspond to the political boundaries of the NANA Region. This would add Buckland, Deering, Noatak, and Kivalina to the Kobuk Valley National Park resident zone. Although this action would increase the number of persons eligible for subsistence, the actual increase in subsistence use of the park is expected to be negligible and the biological impacts will be insignificant. Such use already likely occurs when residents of the above four communities accompany relatives from resident zone communities on hunting trips. The proposed regional resident zone system would simplify the regulatory system. The state supports adopting this portion of the recommendation.

The commission also recommends that, if necessary to provide the

subsistence preference as specified in Section 804 of ANILCA, subsistence eligibility be limited to persons who had their primary place of residence within the NANA Region on December 2, 1980, members of their immediate families, and their direct descendants who continue to reside in the NANA Region. The state opposes this portion of the recommendation, as it artificially restricts eligibility among community residents when limitations are not needed. Section 804 of ANILCA provides a process and lists three criteria to be used for limiting eligibility, one of which is local residency. Although well-intended, the commission's recommendation will not enable managers to make distinctions between local residents when restrictions become necessary. We urge the commission to discuss ways in which the three criteria in Section 804 of ANILCA can best be implemented to achieve the intent of this recommendation.

Recommendation 2 seeks restrictions or prohibitions on use of aircraft, air propelled boats, and allterrain vehicles in the Kobuk Valley National Park. Recommendation 2-A asks the National Park Service to: (1) investigate conflicts among local residents engaged in subsistence activities in the park and persons using aircraft in the same area, and (2) recommend ways for reducing the impacts caused by use of aircraft. Aircraft use in the area has increased markedly in the past decade; some conflicts between aircraft activities and subsistence hunting and fishing have been documented in studies conducted by the Division of Subsistence, Alaska Department of Fish and Game. We support the commission's request for additional study of aircraft use in the area, but request that the state be consulted in the planning of any field investigations that might be done.

Recommendation 2-B asks that the use of air propelled boats within the boundaries of the park be prohibited during subsistence hunting season. Because the hunting season for Western Arctic caribou occurs year-round, the apparent effect of this recommendation is a total ban on use of air propelled boats in Kobuk Valley National Park. At this time air propelled boats apparently are not used in the region. If use of air propelled boats in state navigable waters becomes a conflict with subsistence activities, this concern should be addressed to the Alaska Board of Fisheries and the Alaska Board of Game for consideration as a controlled use zone.

A size limitation is proposed in Recommendation 2-C for all-terrain vehicles used in the Kobuk Valley National Park for subsistence purposes and to access inholdings. In its meetings, the commission has acknowledged both the utility of all-terrain vehicles and their potential for disruption. We urge that traditional and existing uses of allterrain vehicles be documented before any restrictions

are considered or imposed on their continued use in this park unit, as called for in ANILCA sections 811(a) and 1110(a), and the implementing regulations found in 43 CFR Part 36.

Recommendation 3 calls for classification of the entire park as a traditional use area. The state supports this recommendation because subsistence mapping studies completed by the Department of Fish and Game reveal that members of resident zone communities have historically used the entire park area for subsistence activities. All of the park is accessible by snowmachine during the winter months for hunting and trapping purposes. These traditional uses pose no particular habitat or resource management problems and should be allowed to continue. The state urges the National Park Service to demonstrate that portions of the park have not been used for subsistence purposes before considering classifying less than the entire park as a traditional use area.

Recommendation 4. Multiple uses of this park unit creates the potential for conflict, especially between consumptive and nonconsumptive users. National Park Service managers generally are not accustomed to administering park lands for subsistence hunting; consequently, they may support subsistence in principle but then find it difficult to deal with the practical dimensions. Education of local subsistence users, of nonlocal nonconsumptive users, and especially of nonlocal park staff is essential to the long-term viability of subsistence hunting in the northwest Alaska park units.

Recommendation 5. The National Park Service has made substantial progress in hiring local residents from park area communities and educating nonlocal staff, including enforcement personnel, about local conditions and the subsistence requirements of ANILCA. A commitment to education and to further efforts to implement the local hire provisions of ANILCA Section 1308 will help to minimize the potential for conflict in the future. As a matter of general principle, local involvement in management of federal conservation units would contribute to successful management of park lands in northwest Alaska. A commitment to maintaining regular communication with the state is equally important, so that management actions involving park lands can be evaluated in terms of their potential effects on management of adjoining state and private lands and on management of fish and wildlife resources.

Recommendation 6. In the late 1970s, the National Park Service supported extensive research in the northwest park areas to describe existing subsistence activities. Subsequent research focused primarily on habitat and resource uses. One major cultural project has been conducted, but the results have not been published

and publication does not appear imminent. A second project is underway. Since passage of ANILCA, the National Park Service has not published any significant research on subsistence issues in northwest Alaska conducted by local researchers. The work which has been funded has involved almost exclusively nonlocal researchers in all research capacities. If properly structured, cooperative agreements between the National Park Service and local organizations could eliminate some of the problems encountered to date in research activities.

Cape Krusenstern Subsistence Hunting Plan
Comments on Subsistence Hunting Plan dated 8/24/93

Recommendation 1 would add the communities of Ambler, Shungnak, Kobuk, Kiana, Noorvik, Selawik, Buckland, and Deering to the resident zone for the Cape Krusenstern National Monument. This would be a substantial numerical increase in the population eligible for subsistence in the monument (from 3,600 to 6,300 persons in 1990 population figures). However, little actual increase in use is expected. The Cape Krusenstern National Monument is important principally as a marine mammal and fishing location—activities that arguably are outside the scope of the subsistence hunting plans. Some persons living outside the resident zone might occasionally hunt with relatives or friends in the monument if this recommendation is adopted, but the impact on resources would be negligible. The state supports the adoption of this portion of the recommendation.

As was discussed in detail under Recommendation 1 for the Kobuk Valley Subsistence Hunting Plan, the state opposes the eligibility restrictions based on date of residency as also proposed by the Cape Krusenstern Subsistence Resource Commission. These restrictions do not comply with the requirements of ANILCA Section 804 and are unnecessarily restrictive in the absence of a documented need to limit eligibility.

Recommendation 2-A. Conflicts involving aircraft have occurred in the Cape Krusenstern National Monument but have not been as numerous as those in the Kobuk Valley park unit. Aircraft have been used primarily to access seasonal camps at Sisualik and north of Sealing Point, as well as the National Park Service ranger station at Anigaag. An abandoned Air Force landing strip also is located in the Kakagrak Hills. Due to the location of these strips (either in camps or remote from the coast), there is either some local control of access or somewhat reduced levels of conflict, when compared to the situation in Kobuk Valley National Park. Indeed, the National Park Service probably is the most active user of aircraft in Cape Krusenstern. We do not object to further study

of aircraft use and development of recommendations to reduce impacts, but do request the state be included in the process.

Recommendation 2-B would prohibit use of air propelled boats in Cape Krusenstern National Monument during hunting season. Air propelled boats apparently are not used at this time. The state requests that any proposed regulatory prohibitions involving use of air propelled boats in navigable waters be brought to the attention of the Alaska Boards of Fisheries and Game and to the Alaska Department of Natural Resources.

The Cape Krusenstern Subsistence Resource Commission also proposes restrictions on the kinds of all-terrain vehicles that can be used to access inholdings and for subsistence purposes in the monument. The state supports Recommendation 2-C, as it calls for identification of areas where all-terrain vehicles have been used traditionally in the unit.

The Department of Fish and Game has documented use of the entire monument for subsistence purposes by members of the resident zone communities. In winter, all of the monument is accessible by snowmachine for hunting and trapping. These traditional uses pose no management problems, do not threaten habitat, and should be allowed to continue. Consequently, the state supports Recommendation 3, calling for classification of the entire monument as a traditional use area.

Recommendation 4. Multiple uses of this park unit creates the potential for conflict, especially between consumptive and nonconsumptive users. National Park Service managers have not customarily administered park lands for subsistence hunting, so they may find it easier to support subsistence activities conceptually than in practice. The long-term viability of subsistence hunting on park lands in northwest Alaska certainly will depend in part on the education of local subsistence users, of visiting non-consumptive users, and especially of park staff who move to the area from out of state.

Recommendation 5. The National Park Service is to be commended for the progress it has made in hiring local residents from park area communities and in educating new staff from other areas (including enforcement personnel) about local conditions and the subsistence requirements of ANILCA. A continuing commitment to education and to implementing the local hire provisions of ANILCA Section 1308 will help to minimize the potential for conflict in the future. As a matter of general principle, local involvement in management of federal conservation system units would contribute to successful management of park lands in northwest Alaska. A commitment to

maintaining regular communication with the state is equally important and will facilitate the evaluation of park management actions on the state's management of fish and wildlife resources on adjoining state and private lands.

Recommendation 6. The National Park Service supported research in the late 1970s designed to describe existing subsistence activities. Subsequent research has focused primarily on habitat and resource use. One major cultural project has been conducted, but the results have not been published and publication does not appear imminent. A second project is underway. Since passage of ANILCA, the National Park Service has not published any significant research conducted by local researchers on subsistence issues in northwest Alaska. The work that has been done was performed almost exclusively by non-local researchers. If properly structured, cooperative agreements between the National Park Service and local organizations in northwest Alaska could eliminate some of the concerns expressed locally regarding research activities.

APPENDIX G

HUNTING PROGRAM RECOMMENDATIONS

SUBSISTENCE RESOURCE COMMISSION
CAPE KRUSENSTERN NATIONAL MONUMENT

HUNTING PLAN

RECOMMENDATION 1: ELIGIBILITY

The Cape Krusenstern National Monument Subsistence Resource Commission supports the concept of resident zone eligibility for subsistence hunting within the Monument. The Commission recommends that the resident zone for Cape Krusenstern National Monument coincide with the political boundaries of the NANA Region.

ANILCA §804, accords a priority to the taking of fish and wildlife for nonwasteful subsistence uses over the taking of fish and wildlife for other purposes. This Commission recommends that, to ensure a subsistence preference as mandated in Section 804, if it becomes necessary to further restrict the taking of fish and wildlife for subsistence uses in order to protect the viability of the populations, subsistence eligibility be limited to those persons who had their primary place of residency within the NANA Region on December 2, 1980, members of their immediate families, and their direct descendants who continue to reside within the NANA Region.

Discussion

The Commission has long considered the resident zones established by National Park Service regulation. Over ninety percent of the residents of Northwest Alaska are Iñupiaq Eskimo people whose history of subsistence use of the area extends back thousands of years. The Commission believes the existing resident zone designations create unnecessary divisions among the people and disrupt their traditional hunting patterns. The people of the NANA Region consider themselves a cohesive social and cultural unit and have traditionally hunted throughout the area without regard to jurisdictional boundaries.

Many hours have been spent discussing various options for identifying all the communities which hunt in the Monument. Through this process and other input from members of local advisory committees and the public, the Commission has concluded that replacing the existing list of individual communities with a single area

(the NANA Regional Corporation boundaries) best represents the traditional and continuing hunting patterns. As a result, the following resolution was adopted by the Kobuk Valley and Cape Krusenstern Commissions in 1986. [See attached Joint Resolution].

RECOMMENDATION 2: ACCESS

A. Aircraft

The Cape Krusenstern National Monument Subsistence Resource Commission requests that the National Park Service identify and study conflicts between local residents who are engaged in subsistence hunting or other subsistence activities in traditional areas within the Monument, and other persons using aircraft in the same areas. The Commission further requests that the Park Service recommend ways to reduce impacts caused by use of aircraft.

Discussion

Aircraft access for hunting is not permitted within the Monument. However, low flying aircraft and aircraft landings for other reasons have great potential for disrupting subsistence hunting opportunities and for influencing wildlife movement. The fall caribou migration and traditional subsistence fall caribou hunting are particularly sensitive. A restriction on aircraft use within the Monument boundaries during the fall caribou hunt might address these conflicts.

B. Air Propelled Boats

The Cape Krusenstern National Monument Subsistence Resource Commission recommends that air propelled boats not be permitted within the Monument boundaries during subsistence hunting season.

Discussion

Air propelled boats are not used by local subsistence hunters. The noise of air propelled boats is disruptive to subsistence hunting activity and can influence wildlife movement at critical times.

C. All Terrain Vehicles

The Commission recommends that traditional use of ATVs, (not to include racing machines or machines exceeding 660 lbs) be allowed in the Monument for subsistence purposes and to access inholdings. The Commission is interested in working with the National Park Service to identify areas of traditional ATV use within the Park.

RECOMMENDATION 3: AREAS OF TRADITIONAL USE

The Commission recommends that the entire Monument be classified as a traditional use area.

Discussion

Congress provided that subsistence uses would be allowed in Cape Krusenstern National Monument where such uses are traditional, and that those uses would be allowed without qualification. The Commission's recommendation is based on testimony in many forums, research on traditional use areas, and historical evidence that all reasonably accessed areas of Cape Krusenstern National Monument have been used for subsistence activity. The Commission feels there is no evidence available to justify exclusion of any specific area.

RECOMMENDATION 4: EDUCATION

The Commission believes that an expanded public communications effort is needed for sensitizing agency personnel, newcomers, and visitors to traditional values and practices associated with subsistence activities in the Monument area. The Commission recommends that all Park Service personnel assigned to Northwest Alaska Areas be required to take a cross-cultural communications course similar to SPC 330, (Intercultural Communications offered by Chuckchi Community College) or equivalent.

The Commission recommends that National Park Service personnel work jointly with local residents to develop information publications and presentations on public use of park resources. Such information should be culturally appropriate and reflect both the Park Service philosophy and regional cultural values.

The Commission further recommends that the National Park Service expand education efforts to include working with regional village organizations to develop presentations for village use.

RECOMMENDATION 5: ENFORCEMENT

The Commission recommends the National Park Service be encouraged to work with local entities to explore and promote hiring of local residents familiar with the local area and the Iñupiaq language, culture and traditions, with particular emphasis on local involvement in the enforcement of hunting and fishing regulations. The Commission further recommends that the National Park Service explore the use of co-management agreements with traditional councils, IRA's or other local organizations. Co-management agreements could be used to provide law enforcement, maintenance and other services required by the park service.

RECOMMENDATION 6: RESEARCH AND INFORMATION NEEDS

The Commission recognizes that scientific information is important for Park management.

In fulfilling its ANILCA and charter responsibilities the Commission will at times request specific studies be done to provide it with necessary information. The Commission recommends that the Park Service explore the use of cooperative management agreements with local organizations to accomplish research in the region.

The Commission wishes to be informed of proposed research initiated by the

Park Service or other researchers, which take place in the Monument area or in Regional communities, especially research which involves the Iñupiaq people. They would like an opportunity to comment on the cultural appropriateness of projects which effect local people.

SUBSISTENCE RESOURCE COMMISSION
KOBUK VALLEY NATIONAL PARK

HUNTING PLAN

RECOMMENDATION 1: ELIGIBILITY

The Kobuk Valley National Park Subsistence Resource Commission supports the concept of resident zone eligibility for subsistence hunting within the Park. The Commission recommends that the resident zone for Kobuk Valley National Park coincide with the political boundaries of the NANA Region.

ANILCA §804, accords a priority to the taking of fish and wildlife for nonwasteful subsistence uses over the taking of fish and wildlife for other purposes. This Commission recommends that, to ensure a subsistence preference as mandated in Section 804, if it becomes necessary to further restrict the taking of fish and wildlife for subsistence uses in order to protect the viability of the populations, subsistence eligibility be limited to those persons who had their primary place of residency within the NANA Region on December 2, 1980, members of their immediate families, and their direct descendants who continue to reside within the NANA Region.

Discussion

The Commission has long considered the resident zones established by National Park Service regulation. Over ninety percent of the residents of Northwest Alaska are Iñupiaq Eskimo people whose history of subsistence use of the area extends back thousands of years. The Commission believes the existing resident zone designations create unnecessary divisions among the people and disrupt their traditional hunting patterns. The people of the NANA Region consider themselves a cohesive social and cultural unit and have traditionally hunted throughout the area without regard to jurisdictional boundaries.

Many hours have been spent discussing various options for identifying all the communities which hunt in the Park. Through this process and other input from members of local advisory committees and the public, the Commission has concluded that replacing the existing list of individual communities with a single area (the NANA Regional Corporation boundaries) best represents the traditional and continuing hunting patterns. As a result, the following resolution was adopted by

the Kobuk Valley and Cape Krusenstern Commissions in 1986. [See attached Joint Resolution].

RECOMMENDATION 2: ACCESS

A. Aircraft

The Kobuk Valley Subsistence Resource Commission requests that the National Park Service identify and study conflicts between local residents who are subsistence hunting in traditional areas within the Park, and other persons using aircraft in the same area at hunting times. The Commission further requests that the Park Service recommend ways to reduce impacts caused by use of aircraft.

Discussion

Aircraft access for hunting is not permitted within the Park. However, low flying aircraft and aircraft landings for other reasons have great potential for disrupting subsistence hunting opportunities and for influencing wildlife movement. The fall caribou migration and traditional subsistence fall caribou hunting from boats on the Kobuk River are particularly sensitive. A restriction on aircraft use within the Park boundaries during the fall caribou hunt might address these conflicts.

B. Air Propelled Boats

The Kobuk Valley Subsistence Resource Commission recommends that air propelled boats not be permitted within the Park boundaries during subsistence hunting season.

Discussion

Air propelled boats are not used by local subsistence hunters. The noise of air propelled boats is disruptive to subsistence hunting activity and can influence wildlife movement at critical times.

C. All Terrain Vehicles

The Commission recommends that traditional use of ATVs, (not to include racing machines or machines exceeding 660 lbs) be allowed in the Park for subsistence purposes and to access inholdings. The Commission is interested in working with the National Park Service to identify areas of traditional ATV use within the Park.

RECOMMENDATION 3: AREAS OF TRADITIONAL USE

The Commission recommends that the entire Park be classified as a traditional use area.

Discussion

Congress provided that subsistence uses would be allowed in Kobuk Valley National Park where such uses are traditional, and that those uses would be allowed without qualification. The Commission's recommendation is based on testimony in many forums, research on traditional use areas, and historical evidence that all reasonably accessed areas of the Kobuk Valley have been used for subsistence activity. The Commission feels there is no evidence available to justify exclusion of any specific area.

RECOMMENDATION 4: EDUCATION

The Commission believes that an expanded public communications effort is needed for sensitizing agency personnel, newcomers, and visitors to traditional values and practices associated with subsistence activities in the Park area. The Commission recommends that all Park Service personnel assigned to Northwest Alaska Areas be required to take a cross-cultural communications course similar to SPC 330, (Intercultural Communications offered by Chuckchi Community College) or equivalent.

The Commission recommends that National Park Service personnel work with local residents to jointly develop information publications and

presentations on public use of park resources. Such information should be culturally appropriate and reflect both the Park Service philosophy and regional cultural values.

The Commission further recommends that the National Park Service expand education efforts to include working with regional village organizations on developing presentations for village use.

RECOMMENDATION 5: ENFORCEMENT

The Commission recommends the National Park Service be encouraged to work with local entities to explore and promote hiring of local residents familiar with the local area and the Iñupiaq language, culture and traditions, with particular emphasis on local involvement in the enforcement of hunting and fishing regulations. The Commission further recommends that the National Park Service explore the use of co-management agreements with traditional councils, IRA's or other local organizations. Co-management agreements could be used to provide law enforcement, maintenance and other services required by the park service.

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Regional communities, especially research which involves the Iñupiaq people. They would like an opportunity to comment on the cultural appropriateness of projects which effect local people.