

APPENDIX A ALTERNATIVE REVISED REGULATIONS

[Note: The subsistence regulations for Alaska in 36 CFR Part 13, Subpart F amend in part the NPS general system-wide regulations and the Alaska general region-wide regulations (see 36 CFR 13.2(c)). For that reason, the likely location of the suggested revisions below is in Subpart F between 13.400 and 13.495.]

No Action Alternative

Alternative A:

No Change – The current restrictions on the collection and use of plants and shed or discarded wildlife parts for subsistence use by local rural residents would remain unchanged.

Action Alternatives

Alternative B - Collections Unlimited and No Permits:

13.4xx

(a) Local rural residents may collect shed or discarded wildlife parts and plant materials not otherwise regulated in this Part for:

- (1) personal or family use and barter, or
- (2) the making and selling of handicraft articles

(b) For purposes of this section *handicraft* is a finished product in which the shape and appearance of the natural material has been substantially changed by the skillful use of hands, such as sewing, carving, etching, scrimshawing, painting, or other means, and which has substantially greater monetary and aesthetic value than the unaltered natural material alone.

(d) For purposes of this section the definition of *local rural resident* in 13.420(1), (2) includes for preserves federally qualified subsistence users eligible to take any wildlife species within the preserve in accordance with regulations adopted by the Federal Subsistence Board.

(e) Optional (prohibition is also in 2.1): Collection of horns, antlers, bones, and plants is prohibited except as authorized by this section or 2.1 of this chapter.

Alternative C – Collections Limited by Areas and Discretionary Permits:

13.4xx

(a) In accordance with conditions established by the superintendent, local rural residents may collect shed or discarded wildlife parts and plant material not otherwise regulated in this Part for:

- (1) personal or family use and barter, or
- (2) the making and selling of handicraft articles.

(b) Violating conditions established by the superintendent is prohibited.

(c) For purposes of this section *handicraft* is a finished product in which the shape and appearance of the natural material has been substantially changed by the skillful use of hands, such as sewing, carving, etching, scrimshawing, painting, or other means, and which has substantially greater monetary and aesthetic value than the unaltered natural material alone.

(d) For purposes of this section the definition of *local rural resident* in 13.420(1), (2) includes for preserves federally qualified subsistence users eligible to take any wildlife species within the applicable GMU in the preserve in accordance with regulations adopted by the Federal Subsistence Board.

(e) Optional (prohibition is also in 2.1): Collection of horns, antlers, bones, and plants is prohibited except as authorized by this section or 2.1 of this chapter.

Alternative D – Collections Limited by Area and Species with Permits (NPS Preferred):

13.4xx

(a) The superintendent may issue local rural residents a permit for the collection of shed or discarded wildlife parts and plant material not otherwise regulated in this Part for:

- (1) personal or family use, or
- (2) the making and selling of handicraft articles.

(b) Violating permit conditions established by the superintendent is prohibited.

(c) For purposes of this section *handicraft* is a finished product in which the shape and appearance of the natural material has been substantially changed by the skillful use of hands, such as sewing, carving, etching, scrimshawing, painting, or other means, and which has substantially greater monetary and aesthetic value than the unaltered natural material alone.

(d) For purposes of this section the definition of *local rural resident* in 13.420(1), (2) includes for preserves federally qualified subsistence users eligible to take any wildlife species within the applicable GMU in the preserve in accordance with regulations adopted by the Federal Subsistence Board.

(e) For all local rural residents of parks, monuments, and preserves, collection of shed or discarded wildlife parts is limited to such wildlife parts for which the collecting local rural resident has a Customary and Traditional (C&T) use determination by the Federal Subsistence Board for that species of wildlife in that location.

(f) Optional (prohibition is also in 2.1): Collection of horns, antlers, bones, and plants is prohibited except as authorized by this section or 2.1 of this chapter.

APPENDIX B

ANILCA SECTION 810(a) SUBSISTENCE EVALUATION AND FINDING

I. Introduction

Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) requires Federal agencies having jurisdiction over lands in Alaska to evaluate the potential impacts of proposed actions on subsistence uses and needs. This analysis evaluates the potential restrictions to ANILCA Title VIII subsistence uses and needs that could result should the National Park Service (NPS) allow the collection and uses of plants, horns and antlers and bones for traditional uses by NPS qualified subsistence users in NPS Alaska units where ANILCA Title VIII subsistence is allowed. The NPS is granted broad statutory authority under various acts of Congress to manage and regulate activities in areas of the National Park System, (16 U.S.C. 1a-2(h), 3, and 3120).

II. 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, and other alternatives which would reduce or eliminate the use, occupancy, 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 effected until the head of such Federal agency

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

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

(3) 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 would involve the minimal amount of public lands necessary to accomplish the purposes of such use, occupancy, or other disposition, and (C) reasonable steps would be taken to minimize adverse impacts upon subsistence uses and resources resulting from such actions.

Section 201 of ANILCA created new units of the national park system in Alaska for the following purposes:

Aniakchak National Monument and Preserve, containing approximately one hundred and thirty-eight thousand acres of public lands, was created by ANILCA, section 201(1) for the following purposes:

The monument and preserve shall be managed for the following purposes, among others: To maintain the caldera and its associated volcanic features and landscape, including the Aniakchak River and other lakes and streams, in their natural state; to study, interpret, and assure continuation of the natural process of biological succession; to protect habitat for, and populations of, fish and wildlife, including, but not limited to, brown/ grizzly bears, moose, caribou, sea lions, seals, and other; marine mammals, geese, swans, and other waterfowl and in a manner consistent with the foregoing, to interpret geological and biological processes for visitors. Subsistence uses by local residents shall be permitted in the monument where such uses are traditional in accordance with the provisions of Title VIII.

Bering Land Bridge National Preserve, containing approximately two million four hundred and fifty-seven thousand acres of public land, was created by ANILCA, section 201(2) for the following purposes:

To protect and interpret examples of arctic plant communities, volcanic lava flows, ash explosions, coastal formations and other geologic processes; to protect habitat for internationally significant populations of migratory birds; to provide for archeological and paleontological study, in cooperation with Native Alaskans, of the process of plant and animal migration, including man, between North America and the Asian Continent, to protect habitat for, and populations of, fish and wildlife including, but not limited to, marine mammals, brown/grizzly bears, moose and wolves; subject to such reasonable regulations as the Secretary may prescribe, to continue reindeer grazing use, including necessary facilities and equipment, within the areas which on January 1, 1976, were subject to reindeer grazing permits, in accordance with sound range management practices; to protect the viability of subsistence resources; and in a manner consistent with the foregoing, to provide for outdoor recreation and environmental education activities including public access for recreational purposes to the Serpentine Hot Springs area. The Secretary shall permit the continuation of customary patterns and modes of travel during periods of adequate snow cover within a one-hundred-foot right-of-way along either side of an existing route from Deering to the Taylor Highway, subject to such reasonable regulations as the Secretary may promulgate to assure that such travel is consistent with the foregoing purposes.

Cape Krusenstern National Monument, containing approximately five hundred and sixty thousand acres of public lands, was created by ANILCA, section 201(3) for the following purposes:

The monument shall be managed for the following purposes, among others: To protect and interpret a series of archeological sites depicting every known cultural 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.

Gates of the Arctic National Park, containing approximately seven million fifty-two thousand acres of public lands, Gates of the Arctic National Preserve, containing approximately nine hundred thousand acres of Federal lands, was created by ANILCA, section 201(4)(a) for the following purposes:

The park and preserve shall be managed for the following purposes, among others: To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities, and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep moose, wolves, and raptorial birds. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of Title VIII.

Kobuk Valley National Park, containing approximately one million seven hundred and ten thousand acres of public land, was created by ANILCA, section 201(6) for the following purposes:

The 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, archeological sites associated with Native cultures; to protect migration routes for the Arctic caribou herd; to protect habitat for, and populations 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. Except at such times when, and locations where, to do so would be inconsistent with the purposes of the park, the Secretary shall permit aircraft to continue to land at sites in the upper Salmon River watershed.

Lake Clark National Park, containing approximately two million four hundred thirty-nine thousand acres of public lands and Lake Clark National Preserve, containing approximately one

million two hundred and fourteen thousand acres of public lands, was created by ANILCA, section 201(7)(a) for the following purposes:

The park and preserve shall be managed for the following purposes, among others: To protect the watershed necessary for perpetuation of the red salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife including but not limited to caribou, Dall sheep, brown/grizzly bears, bald eagles, and peregrine falcons. . . . Subsistence uses by local residents shall be permitted in the park where such uses are traditional in accordance with the provisions of Title VIII.

Noatak National Preserve, containing approximately six million four hundred and sixty thousand acres of public lands, was created by ANILCA, section 201(8)(a), for the following purposes:

To maintain the environmental integrity of the Noatak River and adjacent uplands within the preserve in such a manner as to assure the continuation of geological and biological processes unimpaired by adverse human activity; to protect habitat for, and populations of, fish and wildlife, including but not limited to caribou, grizzly bears Dall sheep, moose, wolves, and for waterfowl, raptors, and other species of birds; to protect archeological resources; and in a manner consistent with the foregoing, to provide opportunities for scientific research. The Secretary may establish a board consisting of scientists and other experts in the field of arctic research in order to assist him in the encouragement and administration of research efforts within the preserve.

Wrangell-Saint Elias National Park, containing approximately eight million one hundred and forty-seven thousand acres of public lands, and Wrangell-Saint Elias National Preserve containing approximately four million one hundred and seventeen thousand acres of public lands, was created by ANILCA, section 201(9), for the following purposes:

The park and preserve shall be managed for the following purposes, among others: To maintain unimpaired the scenic beauty and quality of high mountain peaks, foothills, glacial systems, lakes, and streams, valleys, and coastal landscapes in their natural state; to protect habitat for, and populations of, fish and wildlife including but not limited to caribou, brown/grizzly bears, Dall sheep, moose, wolves, trumpeter swans and other waterfowl, and marine mammals; and to provide continued opportunities including reasonable access for mountain climbing, mountaineering, and other wilderness recreational activities. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of Title VIII.

Yukon-Charley Rivers National Preserve, containing approximately one million seven hundred and thirteen thousand acres of public lands, was created by ANILCA, section 201(9), for the following purposes:

The preserve shall be managed for the following purposes, among others: To maintain the environmental integrity of the entire Charley River basin, including streams, lakes and other natural features, in its undeveloped natural condition for public benefit and scientific study; to protect habitat for, and populations of, fish and wildlife, including but not limited to the peregrine falcons and other raptorial birds, caribou, moose, Dall sheep, grizzly bears, and wolves; and in a manner consistent with the foregoing, to protect and interpret historical sites and events associated with the gold rush on the Yukon River and the geological and paleontological history and cultural prehistory of the area. Except at such times when and locations where to do so would be inconsistent with the purposes of the preserve, the Secretary shall permit aircraft to continue to land at sites in the Upper Charley River watershed.

ADDITIONS TO EXISTING AREAS

Section 202 of ANILCA created new units and additions to the following Alaska NPS areas:

Glacier Bay National Monument was expanded by the addition of an area containing approximately five hundred and twenty-three thousand acres of Federal land. Approximately fifty-seven thousand acres of additional public land was established as Glacier Bay National Preserve. The monument was re-designated as "Glacier Bay National Park". The monument addition and preserve was created by ANILCA, section 202(1), for the following purposes:

To protect a segment of the Alsek River, fish and wildlife habitats and migration routes and a portion of the Fairweather Range including the northwest slope of Mount Fairweather. Lands, waters, and interests therein within the boundary of the park and preserve which were within the boundary of any national forest are hereby excluded from such national forest and the boundary of such national forest is hereby revised accordingly.

Katmai National Monument was expanded by the addition of an area containing approximately one million and thirty-seven thousand acres of public land. Approximately three hundred and eight thousand acres of additional public land was established as Katmai National Preserve. The monument was re-designated as "Katmai National Park". The park and preserve were created by ANILCA, section 202(2), for the following purposes:

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

Mount McKinley National Park was expanded by the addition of an area containing approximately two million four hundred and twenty-six thousand acres of public land, and approximately one million three hundred and thirty thousand acres of additional public land was established as Denali National Preserve. The unit was re-designated as Denali National Park and Preserve. The park additions and preserve were created by ANILCA, section 202(3)(a) for the following purposes:

To protect and interpret the entire mountain massif, and additional scenic mountain peaks and formations; and to protect habitat for, and populations of fish and wildlife including, but not limited to, brown/grizzly bears, moose, caribou, Dall sheep, wolves, swans and other waterfowl; and to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering and other wilderness recreational activities. That portion of the Alaska Railroad right-of-way within the park shall be subject to such laws and regulations applicable to the protection of fish and wildlife and other park values as the Secretary, with the concurrence of the Secretary of Transportation, may determine. Subsistence uses by local residents shall be permitted in the additions to the park where such uses are traditional in accordance with the provisions in Title VIII.

GENERAL ADMINISTRATION

Among other general administrative provisions, section 203 of ANILCA states, "Subsistence uses by local residents shall be allowed in national preserves and, where specifically permitted by this Act, in national monuments and parks."

TITLE VI, PART C – ADDITION TO NATIONAL WILD AND SCENIC RIVERS

SYSTEM LOCATED OUTSIDE NATIONAL PARK SYSTEM UNITS

Section 603(a) of ANILCA designated the following wild and scenic river outside the national park system in Alaska:

ALAGNAK, ALASKA. – Those segments or portions of the main stem and Nonvianuk tributary lying outside and westward of the Katmai National Park /Preserve and running to the west boundary of township 13 south, range 43 west; to be administered by the Secretary of the Interior.

ANILCA and NPS regulations do not authorize subsistence use on federal lands within Kenai Fjords National Park, Klondike Gold Rush National Historical Park, Sitka National Historical Park, and areas previously managed as Mt. McKinley National Park, Katmai National Monument, and Glacier Bay National Monument.

III. Proposed Action on Federal Lands

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." (Section 810(a))

The NPS is considering whether to allow the collection and uses of plants and shed or discarded horns, antlers, and bones by NPS qualified subsistence users in Alaska NPS conservation units where ANILCA Title VIII subsistence uses are allowed. The following is a brief summary of the proposed alternatives considered in the environmental assessment (EA):

Alternative A - No-Action (Environmentally Preferable Alternative)

Alternative A causes the least damage to the biological and physical environment and best protects, preserves, and enhances historic, cultural, and natural resources (40 CFR 1505.2 Q6a). For these reasons the NPS identifies Alternative A (No-Action) as the environmentally preferred alternative. The NPS would make no changes or additions to existing regulations. The collection and uses of shed or discarded horns, antlers, and bones from NPS-managed lands in Alaska by NPS-qualified rural residents for personal use or sale of handicrafts made from these materials would not be allowed, as is now the case. Additionally, the collection of plant materials from within NPS-managed lands in Alaska for the making and sale of handicrafts would not be allowed, except where already allowed by special regulations for NPS-qualified rural residents living along the Kobuk River valley pursuant to regulations at 36 CFR Parts 13.504 and 13.1006. This alternative is used to measure the effectiveness of the status quo to the action alternatives. This alternative describes a continuation of the existing situation with regards to the collection and uses of plants, horns, antlers, and bones by NPS-qualified local rural residents, which conditions are presented in more detail in Chapter 3 of the EA.

Alternative B - Broad Eligibility & No Permits

The NPS would allow minimally restricted collection and uses of shed or discarded horns, antlers, bones, and other discarded nonedible parts of animals from NPS-managed lands in Alaska where ANILCA subsistence activities are authorized by NPS-qualified rural residents for: 1) family or personal use; and 2) to be made into handicrafts and sold.

Additionally, the collection of plant materials from within NPS-managed lands in Alaska by NPS-qualified rural residents for the making and sale of handicrafts would be allowed, as already allowed by special regulations for NPS-qualified rural residents living along the Kobuk River valley.

New regulations would be needed in 36 CFR Part 13 to allow the minimally restricted collections of these materials in NPS-managed lands where subsistence uses are authorized for the purposes stated above. Superintendents may restrict collections only under the closure authority and use of compendia to protect resources with evidence of damages or scarcity. No individual collecting permits would be required.

Eligible persons for collecting in parks or monuments must be local rural residents who reside in resident zone communities or who have obtained subsistence permits pursuant to 36 CFR Part 13.440.

For collections in preserves, an NPS-qualified rural resident would be those who have a Customary & Traditional (C&T) use determination for any wildlife species as determined by the Federal Subsistence Board (see 50 CFR 100.24). Any person who can hunt for any wildlife species in a subject preserve would be authorized to collect any shed or discarded wildlife part or plant material found in that preserve for the making of handicrafts for personal and family use or for sale (See EA Table 2.1).

The use of airplanes for the collection and transport of handicraft materials would be allowed in preserves, but not in parks and monuments. Designated gatherers may be identified for local residents.

Alternative C - Eligibility Restricted by Areas with Discretionary Permitting

The NPS would allow managed collection and uses of shed or discarded horns, antlers, bones, and other discarded, nonedible parts of wildlife from NPS-managed lands in Alaska by NPS-qualified rural residents for: 1) family or personal use; and 2) to be made into handicrafts and sold.

Additionally, the collection of plant materials from within NPS-managed lands in Alaska for the making and sale of handicrafts would be allowed (as is already allowed by special regulations for NPS-qualified rural residents living along the Kobuk River valley).

Eligible persons for collecting in parks or monuments must be local rural residents who reside in resident zone communities or who have obtained subsistence permits pursuant to 36 CFR Part 13.440 and who have a C& T use determination for harvesting wildlife in the subject area (see 50 CFR 100.24). Any person with any recognized C&T use in a subject park or monument would be authorized to collect any shed or discarded animal parts of any species in Game Management Units (GMU) where they have recognized C&T uses.

For collections in preserves, NPS-qualified rural residents would be those having a C&T use determination. Any person with any recognized C&T use in a subject preserve would be authorized to collect any shed or discarded animal parts of species in Game Management Units (GMU) where they have recognized C&T uses. In other words, if they can take any wildlife species live, then they can collect dead parts of any wildlife species they may find in that GMU. For example, a person with C&T for caribou, but not moose, can collect antlers from caribou and moose.

Any person who is a qualified subsistence rural resident as defined above for the hunting of animals and the collection of animals parts in a park, monument, or preserve would be authorized access to collect plant materials in these NPS units for the making and selling of handicrafts.

The NPS superintendent in consultation with the appropriate SRC for a park or monument or appropriate local rural residents associated with a preserve may specify the terms and conditions under which eligible persons could collect and use shed or discarded horns, antlers, bones, other

nonedible parts of animals, and plant materials. Such conditions may, but not necessarily, include harvest and possession limits, locations of allowable collections (e.g. some areas may be closed), open seasons for collections, a collection permit, reporting requirements, and permit renewal requirements. An example permit showing elements a superintendent may consider for managed collections in an NPS unit is contained in Appendix C. A superintendent could issue individual permits. If the superintendent can accomplish their management goals without issuance of permits to individuals then they may do so by use of the compendium authority (see 36 CFR 1.7 (b)) which provides for both public review and annual updating.

New regulations would be needed in 36 CFR Part 13 to allow the managed collections of these materials in NPS-managed lands where subsistence uses are authorized for the purposes stated above.

The use of airplanes for the collection and transport of handicraft materials would be allowed in preserves, but not in parks or monuments, as is now the case for subsistence hunting in these areas. Designated gatherers may be identified in resident zone communities associated with parks and monuments or as qualified local rural residents pursuant to 36 CFR 13.440 or for local rural residents as defined above for preserves.

Alternative D - Eligibility Restricted by Areas and Species with Required Permits (NPS Preferred)

Alternative D is the same as Alternative C except that:

- a) Eligible persons are only allowed to collect horns, antlers or bones of species for which they have C&T determinations, and
- b) management action requires the issuance of permits to individuals.

Eligible persons for collecting in parks, monuments and associated preserves must be local rural residents who reside in resident zone communities or who have obtained subsistence permits pursuant to 36 CFR Part 13.440 and who have C&T determinations for harvesting wildlife in the subject area.

For collections in stand-alone preserves¹, NPS-qualified rural residents would be those having a C&T use determination. Any person with any recognized C&T use in a subject preserve would be authorized to collect only shed or discarded animal parts of species for which they have recognized C&T uses. In other words, if they can take that wildlife species live, they can collect dead parts they find of the same wildlife species. For example, a person with C&T for caribou, but not moose, can collect antlers from caribou but not moose.

Any person who is an NPS-qualified subsistence local rural resident as defined above for the take of animals and the collection of animals parts in a park, monument, or preserve would be

¹ Stand-alone preserves are those without an associated park or monument with authorized subsistence in the park or monument: Noatak, Bering Land Bridge, Yukon-Charley Rivers, Katmai, and Glacier Bay (Dry Bay area)

authorized access to collect plant materials in these NPS units for the making and selling of handicrafts.

Under Alternative D, the superintendent of an area must issue individual permits for NPS-qualified local rural residents. An example permit showing elements a superintendent may consider to limit collections in an NPS unit is contained in Appendix B of the EA.

The use of airplanes for the collection and transport of handicraft materials would be allowed in preserves, but not in parks or monuments, as is now the case for subsistence hunting in these areas. Designated gatherers may be identified in resident zone communities associated with parks and monuments or as qualified local rural residents pursuant to 36 CFR 13.440 or NPS qualified subsistence users for national preserves.

IV. Affected Environment

Subsistence uses, as defined by ANILCA, Section 810, means “The customary and traditional use by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of non-edible byproducts of fish and wildlife resources taken for personal or family consumption; for barter, or sharing for personal or family consumption; and for customary trade.” Subsistence activities include hunting, fishing, trapping, and collecting berries, edible plants, and wood or other materials.

ANILCA and National Park Service regulations authorize subsistence use of resources in all Alaska national parks, monuments, preserves and components of the Wild and Scenic River System with the exception of Glacier Bay National Park, Katmai National Park, Kenai Fjords National Park, Klondike Gold Rush National Historical Park, “old” Mount McKinley National Park, and Sitka National Historical Park (Codified in 36 CFR Part 13, Subparts A, B, and C). ANILCA provides a preference for local rural residents over other consumptive users should a shortage of subsistence resources occur and allocation of harvest becomes necessary.

Comprehensive descriptions of the affected subsistence environment within each Alaska national park system unit can be found in chapter 3.0 of the EA and in:

- “General Management and Land Protection Plans” for each NPS unit. (See online at [http:// ww.nps.gov](http://ww.nps.gov))
- Alaska Department of Fish and Game General and Subsistence Harvest Information and Publications (See online at <http://www.state.ak.us/adfg>)
- Federal Subsistence Management Regulations, Office of Subsistence Management, FWS, (See on line at <http://alaska.fws.gov/asm/home.html>)
- National Park Service Management Policies, NPS, 2006. Information and Publications (See online at [http:// ww.nps.gov/policy](http://ww.nps.gov/policy))
- Alaska Subsistence, NPS Management History, NPS 2002
- Title 36 Code of Federal Regulations, Part 13 National Park System Units in Alaska

The NPS recognizes that patterns of subsistence use vary from time to time and from place to place depending on the availability of wildlife and other renewable natural resources. A subsistence harvest in a given year may vary considerably from previous years because of weather, migration patterns, and natural population cycles.

V. Subsistence Uses and Needs Evaluation

Potential Impacts to Subsistence Users

To determine the potential impacts on existing subsistence activities for the proposed action, three evaluation criteria were analyzed relative to existing subsistence resources.

- the potential to reduce important subsistence fish and wildlife populations by (a) reductions in number, (b) redistribution of subsistence resources, or (c) habitat losses;
- what affect the action might have on subsistence fisherman or hunter access;
- the potential for the action to increase fisherman or hunter competition for subsistence resources.

1. The potential to reduce populations:

(a) Reduction in Numbers:

The proposed actions to implement various alternatives are not expected to cause a significant decline of wildlife species in the affected areas.

(b) Redistribution of Resources:

The proposed actions are not expected to cause a significant displacement of subsistence resources in the affected areas.

(c) Habitat Loss:

The proposed actions are expected to be beneficial for maintaining preferred habitat for key subsistence resources within the affected areas. Proposed actions are expected to provide a positive effect on distribution, densities and availability of subsistence resources.

Impacts to subsistence resources and habitat from the proposed actions are not expected to have adverse effects on subsistence uses. The NPS would work closely with subsistence users to minimize impacts to subsistence resources in the affected area.

2. Restriction of Access:

The proposed actions are not expected to significantly restrict current subsistence use patterns. Access for Title VIII subsistence uses within NPS areas is permitted according to Federal and State law and regulations.

3. Increase in Competition:

The proposed actions are not expected to significantly restrict or increase competition for ANILCA Title VIII subsistence resources on Federal public lands within the affected area.

VI. Availability of Other Lands

The proposed actions are consistent with NPS mandates in NPS areas in Alaska.

VII. Alternatives Considered

No other alternatives were identified that would reduce or eliminate the use of NPS public lands needed for subsistence purposes.

VII. Findings

This analysis concludes that the proposed actions will not result in a significant restriction of subsistence uses.

Appendix C

Possible Management Conditions for Collections

- 1.) A report of materials collected will be submitted by the collector at the end of the collection period.
- 2.) A collector may designate another qualified person to collect for them under specific conditions.
- 3.) The use of collected horns, antlers, bones and other animal parts or plants may be made into *handicrafts* (as defined by (36 CFR 13.xxx) (the intention is to use the same definition as the Federal Subsistence Board and State of Alaska definition) and sold, bartered or traded as part of customary trade.
- 4.) Horns or antlers may not be attached to any part of the skull or made to represent a big game trophy.
- 5.) Collections are limited to (___Number annually) (___Number per day) (___Number in possession) (___Number of pounds daily, annually or in possession).
- 6.) The following areas: _____, in (park, monument or preserve) are closed to collecting during the specified time period.
- 7.) Sales, by the collector may not constitute a significant commercial enterprise.
- 8.) The sale of raw/un-worked material is prohibited.

National Park Service
U.S. Department of the Interior



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