
**STATE OF ALASKA
CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS**

1991 ANNUAL REPORT

JANUARY 22, 1992



Citizens' Advisory Commission on Federal Areas

250 Cushman St.
Suite 4H
Fairbanks, Alaska 99701
(907) 456-2012
Fax: 456-2039

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Dear Reader:

The Citizens' Advisory Commission on Federal Areas was established in 1981 by the Alaska State Legislature to provide assistance to the citizens of Alaska who are affected by the management of federal lands within the state. The need for the Commission arose primarily from the passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. The ANILCA placed an additional 104 million acres of land in Alaska into federal conservation system units and outlined specific use requirements and restrictions for those areas.

The changes in land status which resulted from the creation and expansion of conservation system units increased the potential for conflict between Alaskans' traditional uses of these federal lands and the mandates in ANILCA. The Commission, through its enabling legislation, is charged with the responsibility of researching issues and determining the impact of federal statutes, regulations and management decisions on the citizens of Alaska in order to minimize or resolve potential conflicts. Through the development and maintenance of a good working relationship with the various federal agencies, the Commission has been effective in assuring that land management decisions are consistent with both statutory language and Congressional intent and in protecting the interests of Alaska's citizens. This document represents the Commission's annual report to the Governor and the Alaska State Legislature as required by AS 41.37.080(f).

COMPOSITION

The Commission is composed of sixteen members, eight appointed by the Governor and eight by the Legislature. The Commission officers for 1991 were: Chairman, Mr. Lew M. Williams, Jr. (Ketchikan) and Vice-chair Ms. Thyres Shaub (Juneau), with Mr. Bud Cassidy (Kodiak), Mr. Phil Holdsworth (Juneau) and the late Senator Bettye Fahrenkamp (Fairbanks) serving on the Executive Committee.

STAFF

There are currently two staff positions for the Commission: an executive director and an administrative assistant. The office is located in Fairbanks.

DUTIES OF THE COMMISSION

The duties of the Citizens' Advisory Commission on Federal Areas are mandated in AS 41.37.080:

(a) "The commission shall consider, research, and hold hearings on the consistency with federal law and congressional intent on management, operation, planning, development, and additions to federal management areas in the state.

(b) The commission shall consider, research, and hold hearings on the impact of federal regulations and federal management decisions on the people of the state.

(c) The commission may, after consideration of the public policy concerns under (a) and (b) of this section, make a recommendation on the concerns under (a) and (b) of this section to an agency of the state or to the agency of the United States which manages federal land in the state.

(d) The commission shall consider the views, research, and reports of advisory groups established by it under AS 41.37.090 as well as the views, research, and reports of individuals and other groups in the state.

(e) The commission shall establish internal procedures for the management of the responsibilities granted to it under this chapter.

(f) The commission shall report annually to the governor and the legislature within the first 10 days of a regular legislative session.

(g) The commission shall cooperate with each department or agency of the state or with a state board or commission in the fulfillment of their duties."

GOALS AND OBJECTIVES

In 1990, during a review of the duties mandated by its enabling legislation, the Commission clarified its goals and objectives to ensure that it was fulfilling its responsibilities under the law. As a result of that review, the following goals statement was adopted by the Commission.

- I. To provide a citizens' forum to facilitate improvement in intergovernmental relations regarding federal area management issues.
- II. To ensure that the impacts on Alaskans by federal area managers are minimized.
- III. To advocate for consistency, with the law, in the management of federal areas.
- IV. To circulate information to the public on federal area management.

In order to fulfill these goals, the Commission will continue to perform the following functions:

The Commission will continue to monitor federal agency planning, management activities and implementation efforts.

Review of any federal/public lands proposed for exchange will also be continued.

Commission research on special projects mandated by the ANILCA or other federal statutes will continue.

The Commission will continue its involvement at the earliest stages of planning activities for the conservation system units established or expanded by ANILCA.

Commission efforts to resolve conflicts between land managers and land users will be emphasized.

The Commission will work to assure that the best interests of the State of Alaska are brought into the decision making process.

The Commission will continue to work with the congressional offices and monitor federal legislation and regulations which have an impact on the administration and management of federal lands in Alaska.

The Commission will continue to report to the Governor and the Legislature on any recommendations made on federal land management decisions that affect Alaskans.

Over the last 9 years, the Commission has developed and maintained good working relationships with federal and state agencies and with individual and organizational contacts by thoroughly analyzing issues before submitting comments and recommendations on land management issues. Although the Commission's role is advisory, it has the authority under AS 41.37.100 to request the attorney general to file suit against a federal official or agency if the Commission determines that the federal official or agency is "acting in violation of an Act of Congress, congressional intent, or the best interests of the State of Alaska."

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SUMMARY OF COMMISSION ACTIVITIES IN 1991

1991 was the ninth full year of operation for the Commission. The year's objectives were divided between reviewing and commenting on federal agency planning documents and regulations, investigating citizen complaints and working to ensure maximum levels of public participation in all stages of planning for the federal public lands in Alaska. Following is a brief discussion of several major issues in which the Commission was involved during the past calendar year. Minutes, as well as tapes, of all Commission meetings held during 1991 are available if any reader desires more detailed information on a particular issue. Additionally, copies of all resolutions and recommendations made by the Commission are available from Commission staff upon request.

FEDERAL SUBSISTENCE MANAGEMENT PROGRAM

During 1991 management of subsistence activities on the federal public lands in Alaska continued under the direction of the Federal Subsistence Board. The Board is comprised of a non-voting chairman appointed by the Secretary of the Interior (with the concurrence of the Secretary of Agriculture), the Regional Forester for the U.S. Forest Service, the Regional Directors for the National Park Service and the U.S. Fish & Wildlife Service, the State Director for the Bureau of Land Management, and the Area Director for the Bureau of Indian Affairs. The Federal Board came into existence with the adoption of final temporary federal subsistence management regulations on July 1, 1990.

Although the federal subsistence management program currently operates under temporary regulations, the Federal Board is in the process of finalizing its permanent management program. In October, 1991 the Board released a draft environmental impact statement which presented a range of alternatives for the permanent program and also contained proposed programmatic regulations.

The Commission reviewed the draft document and provided detailed comments on the proposed programmatic regulations. It was felt that the regulations were the single most important element in the federal program since they would actually guide its implementation. In keeping with the Commission's statutory mandates, our comments were aimed at strengthening the public participation and consultation process in the federal program. In monitoring the temporary federal program, the Commission has determined that, in the past, opportunities for meaningful public participation have been minimal during critical phases of the regulation development process.

For example, the Board may issue a notice that proposals for subsistence hunting seasons and bag limits will be accepted for a period of 45 days. However, once draft regulations are released for public comment, the public is provided with only a 30 day comment period. In one instance the comment period was only ten days. This left little time for distribution of the draft regs to the public or opportunities for public hearings on the regulations in the areas of the state most affected. While there have been some improvements to this aspect of the federal program, we believe that additional changes and improvements are needed.

Another component of the federal program that has created problems for the public is its appeal process. The temporary regulations provide a mechanism where a subsistence user who feels that he or she is adversely affected by a Federal Board decision may request reconsideration of that decision. The regulations require an appellant to provide "sufficient narrative evidence and argument to show why a decision of the Board should be reconsidered." However, neither the regulations nor the Board provide guidance on what constitutes "sufficient evidence" to support a request for reconsideration. Consequently, this has resulted in a "hit or miss" process under which most requests are denied.

In its comments on the proposed regulations, the Commission suggested that the Board develop, and provide to the public, guidelines on what type of information or supporting documentation should be included with an appeal or request for reconsideration. Additionally, it was suggested that the regulations be revised to require the Board, upon receiving a request for reconsideration, to review the request and notify the appellant within ten days if any additional information will be required for the Board to make an informed decision. The appellant would then have ten days to provide the additional information.

The Federal board has made rural and non-rural determinations for areas and communities throughout Alaska. Because Title VIII of ANILCA grants a preference to rural residents for the subsistence use of fish and wildlife resources, these determinations are of critical importance. Under the current temporary regulations the Municipality of Anchorage, the Kenai area, the Wasilla area, the Fairbanks North Star Borough, the Juneau area and the Ketchikan area have all been determined to be non-rural. Consequently, the residents of these areas are not considered subsistence users for the purpose of harvesting fish and game resources on the federal public lands. These residents may continue to harvest fish and game on federal public lands under state fish and game regulations, provided those regulations do not conflict with federal subsistence regulations and the federal lands in question are open to non-subsistence uses. All other areas and communities of the state are considered rural and residents are eligible to subsistence hunt and fish on the federal public lands, subject to additional eligibility criteria on national park lands and other restrictions which may be applied on a area-by-area basis.

It is not clear at this time how the rural or non-rural status of different areas of the state may change under a permanent federal program. The draft environmental impact statement contains a range of alternatives, each of which contains slightly different criteria for determining whether an area or community is rural or non-rural. Depending upon which alternative is selected for the permanent program, some areas which are currently considered rural may lose that status and the accompanying subsistence preference. Under other alternatives, areas and communities, now considered to be non-rural, may be determined to be rural and residents of those areas granted a subsistence preference. Realistically, however, it does not appear likely that there will be extensive changes to the current status of the various areas and communities once the permanent program is implemented.

The Federal Board has also concluded that the existing state regional councils are not adequate to fulfill the Secretary's responsibilities under Title VIII of ANILCA. This conclusion is based upon the question of whether or not the same advisory system representatives "can provide local input to the state on all resource uses and on behalf of all resource users while at the same time providing input to the Federal Subsistence Board." Apparently the Board feels that a conflict of interest may exist if the same advisory system makes recommendations on both subsistence and non-subsistence use of fish and game resources. The Board proposes to replace the seven existing state regional councils with eight federal regional councils. At the same time, the Board has determined that, generally, the existing state local fish and game advisory committees are adequate.

This Commission urged against the creation of a separate federal regional council system for a number of reasons. First, it was felt that, although the existing regional councils have responsibilities for non-subsistence use of fish and game, this should not interfere with their ability to provide meaningful input to the Federal Board on subsistence uses on the federal public lands. Further, we felt that use of the existing state system would foster better cooperation between the State Boards of Fisheries and Game and the Federal Subsistence Board, avoid public confusion by utilizing a familiar system and be more cost effective if both the state and federal governments share budgetary responsibilities.

Another major deficiency in the proposed federal program is the failure to provide a formal role for the seven national park and park monument Subsistence Resource Commissions (SRC). These SRC's are charged with the responsibility of developing a subsistence hunting plan for those national parks and park monuments where subsistence activities are allowed by ANILCA. Our Commission strongly recommended that the SRC's be included in all aspects of the federal program which affect management of subsistence activities on national park or park monument lands.

The Federal Subsistence Board is scheduled to complete and implement its permanent federal program by July 1, 1992. This Commission will continue to monitor the federal program and make necessary recommendations to the Federal Board to help correct any deficiencies or problems which we may identify.

FISHING ACTIVITIES IN GLACIER BAY NATIONAL PARK

In early 1990, the National Park Service announced that it was considering closing the marine waters of Glacier Bay National Park to commercial and subsistence fishing activities. Even though commercial fishing has occurred in the Glacier Bay area for nearly 100 years, is recognized in the general management plan for the park, as well as in park specific regulations, a nationwide NPS regulation, implemented in 1983, prohibits such activities within units of the national park system. That regulation has not yet been enforced within Glacier Bay. In 1989, the State Board of Fisheries authorized a subsistence fishery in portions of Glacier Bay for the residents of Hoonah. Because ANILCA does not specifically provide for subsistence within the park, the NPS maintains that this activity must also be prohibited.

The NPS announcement generated a great deal of controversy and triggered a series of public meetings sponsored by this Commission and held in conjunction with the agency. At the public meetings, the NPS agreed to consider changes to their regulations in order to allow commercial fishing to continue for an unspecified period of time, during which studies would be conducted on the effects of fishing on other park resources. The agency made it clear, however, that subsistence activities could not be permitted within the park nor would commercial fishing be allowed to continue in designated wilderness.

In August, 1991 the National Park Service issued draft regulations which would implement a phased elimination of commercial fishing in Glacier Bay National Park that would completely prohibit this activity by December 31, 1997. According to the NPS, the regulations are necessary in order to exempt commercial fishing activity within the park from existing nationwide NPS prohibitions on such activities. The draft regulations also clarify that commercial fishing activities in designated wilderness waters and subsistence uses in the park are prohibited. Additionally, the NPS will conduct studies on the effects of commercial fishing on park resources in order to determine if that activity can continue beyond December, 1997. Public hearings on the draft regulations were held during September.

The Commission reviewed the draft regulations and identified what we believed to be serious deficiencies in both the regulations and the environmental assessment process. Most importantly, the Commission's review determined that the NPS failed to adequately address the social and economic impacts of closing park waters to commercial fishing. In its environmental assessment, the agency made the finding that the closure would have no significant impacts on the local economy. While no comprehensive economic studies on the value of that fishery have been undertaken, there is sufficient evidence available to believe that serious economic impacts would occur if the bay is closed. Further, elimination of commercial and subsistence fishing does not appear to be justified on the basis of resource protection. The Commission called for the NPS to prepare an environmental impact statement to properly evaluate the effects of its proposed actions.

The Commission also suggested that the NPS revise and clarify its existing park specific regulations to allow commercial fishing to continue, rather than utilizing the proposed approach of a phase-out of activities by the end of the study period. Additionally, we were concerned that the regulations contained no provisions for the participation of the State of Alaska, the commercial fishing industry and the public in the design and development of the proposed studies. The former regional director of the NPS had committed to this participation at the public meetings held in 1990.

The Commission has since learned that the NPS has already begun some studies, without any substantive consultation with the state

and with no consultation with the industry or the public. The Commission has requested clarification of this in recent letters to the agency.

The NPS has also failed to recognize state ownership and management jurisdiction of the submerged lands and tidelands within the external boundaries of the Glacier Bay National Park. The NPS has continually claimed that these lands were reserved at the time of statehood under the presidential proclamation creating the original monument. Therefore, ownership did not transfer to the state. The Commission has maintained that ownership and management jurisdiction were established under the provisions of ANILCA, the Submerged Lands Act, the Statehood Act and the Alaska Constitution. Recognition of state ownership and jurisdiction would essentially resolve this issue by allowing the state to continue regulating both commercial and subsistence fishing within these marine waters.

A lawsuit brought by the Alaska Wildlife Alliance against the NPS in 1990 for failure to enforce its regulatory prohibition on commercial fishing is currently stayed, pending completion of the agency's current regulatory revision. Final regulations are anticipated within the next couple of months.

Senator Murkowski and Congressman Young have introduced separate, but similar bills that would allow the continuation of commercial fishing within the bay and authorize subsistence activities in traditional areas of the park. Hearings on the Murkowski bill are expected in the near future. The possibility of legal action by the state has not been precluded.

ANAKTUVUK PASS LAND EXCHANGE

In an effort to resolve an on-going dispute over the use of all-terrain vehicles (ATV) for subsistence hunting within Gates of the Arctic National Park & Preserve, the National Park Service began negotiations with the Nunamiut Corporation and the Arctic Slope Regional Corporation in 1986. In Spring, 1991 the agency released a draft legislative environmental impact statement (LEIS) containing a proposed agreement to resolve the issue.

The proposed agreement involved allowing expanded ATV use on some 158,000 acres of park lands, limiting use to only those lands, removing some park lands from existing designated wilderness in

exchange for access and development rights on village and regional corporation lands and designating other federal lands as wilderness. Additionally, it was proposed that the resident zone status for Anaktuvuk Pass would be deleted and a "roster" of eligible subsistence users from the village be compiled. Congressional action would be required to implement the agreement because of the proposed changes in designated wilderness.

The main question at hand is whether or not use of ATV's is a traditional means of access for subsistence hunting in this park area. Under the provisions of ANILCA this type of access is allowed on park lands, including designated wilderness, if it is determined to be a traditional use. In spite of evidence to the contrary, the NPS has consistently maintained that ATV use is not traditional and cannot be allowed.

Since creation of the park in 1980, the NPS has placed tight restrictions on the use of these vehicles within the park, primarily by confining their use to easements in the area of Anaktuvuk Pass. Residents of the village have argued that the easements are not sufficient for their needs and have sought authorization to expand their use of ATV's into all areas of the park that have been traditionally used for subsistence hunting. Because most of the traditional use areas are within designated wilderness, the NPS has consistently refused to allow expanded ATV use because it erroneously claims there is a legal prohibition against such use and because of impacts to wilderness values. In fact, in at least one other Alaskan park unit use of ATV's for subsistence purposes is allowed within designated wilderness.

In comments on the LEIS the Commission objected to certain elements in the NPS proposal for several reasons. The Commission first made it clear that we had no objection to the proposed agreement involving access easements or development rights on corporation or village lands. Any agreement involving these lands is strictly the prerogative of the land owners and not subject to question by this Commission.

The Commission did, however, dispute the NPS claim that the only means available to resolve this issue was congressional action. The Commission argued that the NPS has the administrative authority to provide for the use of ATV's for subsistence purposes by recognizing that their use is a traditional form of access which is

allowed under the provisions of ANILCA. Unfortunately, the NPS has ignored a considerable body of evidence, including a study commissioned by the Arctic Slope Regional corporation, that we believe clearly demonstrates ATV use for subsistence hunting is a traditional form of access. The NPS has also refused to adopt wilderness management policies that reflect ANILCA provisions and congressional intent with regard to wilderness management in Alaska.

The final portion of the proposal that brought objections from this Commission involved the deletion of Anaktuvuk Pass from the list of resident zone communities for Gates of the Arctic National Park & Preserve. The NPS proposal would replace the resident zone system of determining eligibility with a roster of eligible residents. The resident zone concept is a community based system where any permanent resident of the village is considered eligible to engage in subsistence activities within the park. An individual is not required to demonstrate a personal history of subsistence use in the area. A village can be administratively removed from the list of resident zone communities if it no longer meets certain eligibility criteria. The resident zone system was developed to avoid the need for individuals to secure permits to engage in subsistence activities on national park lands.

The Commission felt that the roster system is actually only a group permit and was inconsistent with Congress's intention to avoid a so-called "permit lifestyle" for subsistence users. The Commission was also concerned about whether or not an equitable system could be developed for establishing and maintaining a roster of eligible residents. It is our understanding that since the release of the LEIS the residents of Anaktuvuk Pass have rejected the proposal to implement a roster system and that concept will not be part of any final agreement.

The NPS is expected to finalize the LEIS and submit the proposed agreement to Congress within the next few months. While this Commission would prefer to see the issue of ATV use resolved through administrative means, it has not yet ruled out the possibility of supporting a legislative solution. The Commission will continue its involvement in this issue during 1992 or until successfully resolved to the benefit of the Alaskan public.

MINING IN THE PARKS

In early January, 1991 the Federal District Court for Alaska lifted a 5 year injunction on mining operations in 3 national park units. Mining activities in Denali National Park & Preserve, Wrangell-St. Elias National Park & Preserve and Yukon-Charley Rivers National Preserve were halted by a 1985 lawsuit brought against the National Park Service for failure to enforce its mining regulations. The court enjoined the agency from approving any plans of operation for mining activity until such time as the agency completed environmental impact statements which examined the cumulative impacts of mining on park resources.

Based upon the findings made in those environmental impact statements, the NPS adopted an alternative which, when implemented, will result in the purchase of the valid mining claims in these 3 park units. Theoretically, the owner of a mining claim within these parks may still conduct mining activities, provided resource protection standards can be met. In actuality, however, it appears unlikely that most mining operations would be able to meet those standards. At least one NPS official has acknowledged that it is doubtful that a plan of operations for any significant mining activity would be approved because of the stringent resource protection standards.

The Park Service has secured funds to begin the first stage of their claims acquisition program. It is anticipated that the acquisition process will take several years to complete. The agency has conducted validity determinations on a number of claims within these parks. Validity determinations are extremely important because if a claim does not meet certain standards related to discovery and marketability of a mineral resource, it will be judged to be invalid. If a claim is determined to be invalid, the claim is extinguished and the owner is not entitled to any compensation. In the case of a claim that meets a validity test or a patented mining claim, the owner is entitled to compensation.

As expected, there has been disputes over the value of some claims, although a number were purchased by the NPS during 1991. Questions have also been raised about the impartiality of the agency's validity determination process, although no conclusive evidence has been produced that demonstrates the program is being improperly

conducted. The Commission staff will continue to monitor this claims acquisition program during 1992.

U.S. FISH & WILDLIFE SERVICE CABIN REGULATIONS

Following several years spent in the development of a regional cabin policy, the U.S. Fish & Wildlife Service (FWS), in April 1991, released draft regulations for the use and construction of cabins within Alaskan national wildlife refuges. The Commission identified and commented upon problems and inconsistencies in the draft regulations. Most of these were a direct result of similar problems and inconsistencies in the agency's final cabin policy. While the final policy is an improvement over earlier draft versions, the FWS has, in some aspects of the policy, failed to fully recognize the provisions of ANILCA which address the permitting, use and construction of cabins.

As with other federal land management agencies, the FWS has not adopted wilderness management policies which contain the specific exemptions for allowable uses and activities mandated in ANILCA for designated wilderness areas in Alaska. For example, the draft regulations would prohibit the use and or construction of cabins in designated wilderness except for public safety, administration of the area or for trapping, where trapping has been a customary and traditional use. Various sections of ANILCA and its legislative history clearly demonstrate that Congress intended that federal agencies adopt policies that allow use or construction of cabins in designated wilderness for a variety of other purposes, such as supporting guiding or commercial fishing activities.

Other problems with the draft regulations identified in our review include: unnecessary restrictions on the use of cabins by guests of the owner/permittee; inability to transfer existing permits, as allowed by ANILCA; overly restrictive definitions or no definitions of key terms contained, but not explicitly defined, in the statute; and no provisions made for adequate and feasible access for an owner/permittee.

On several occasions, this Commission has been involved with disputes between cabin owners and permittees and the FWS. In past years these disputes were compounded by the lack of a comprehensive regional cabin policy. With a generally reasonable cabin policy now in place, the Commission will continue to work with the agency

in a effort to develop final regulations that reflect both the policy and the provisions in ANILCA.

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Following is a list of other federal land management agency planning documents, regulations, proposals or related issues reviewed by the Commission during 1991 which are not summarized above. The reader should note that the Commission does not prepare formal comments on every issue it reviews, but makes every effort to advise interested individuals and organizations of federal agency activities and provide background information.

U.S. Fish & Wildlife Service

Commercial Use Fees on National Wildlife Refuges in Alaska- Proposed Fee Revision.

2003-A Plan for the Future of the National Wildlife Refuge System- Refuge Management Options Workbook.

Land Protection Plans for National Wildlife Refuges in Alaska.

Togiak National Wildlife Refuge- Public Use Management Plan.

National Park Service

Development Concept Plan Workbook- Brooks River Area- Katmai National Park & Preserve.

Southside Development Concept Plan- Denali National Park & Preserve.

Guide/Outfitter Management Program- National Preserves in Alaska.

Concession Contracts and Permits- National Park System- Proposed Rule (36 CFR, Part 51).

Alaska Mineral Resources Assessment Program- Proposed Rule (36 CFR, Part 9).

National Natural Landmark Program- Proposed Rule (36 CFR, Part 62)
Vessel Management Plan- Glacier Bay National Park & Preserve
Beringian Heritage International Park Act of 1991 (S-2088).

Bureau of Land Management

Land Exchanges; General Procedures- Proposed Rule (43 CFR, Parts 2090 and 2200).

Mining Claims Under the General Mining Law; Surface Management- Proposed Rule (43 CFR, Part 3800).

Mining on Military Lands- Proposed Rule (43 CFR, Parts 3810 and 3820).

Wild and Scenic Rivers-Policy and Program Direction- Draft Manual.

Recreation Management Area Plan- Dalton Highway.

U.S. Forest Service

Land Exchanges; General Procedures- Proposed Rule (36 CFR, Part 254).

Tongass Land Management Plan Revision- Supplemental Environmental Impact Statement.

Chugach Land Management Plan- Amendment Proposal.

Conservation of Fish and Wildlife and Their Habitat- Chugach National Forest- Final Rule (36 CFR, Part 241).

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The Alaska National Interest Lands Conservation Act passed in December, 1980. In the last 11 years the level of federal land management planning, accompanied by regulation and policy development, has been unprecedented. The impacts to the citizens of Alaska have been considerable. The level of planning will

remain high into the foreseeable future. As a general rule, most federal land management plans are revised on a 10 to 15 year schedule. Many of the original ANILCA mandated plans for national parks and wildlife refuges will soon be subject to agency review and possible revision. At the same time, numerous unit specific resource management plans, development concept plans and public use management plans are being prepared.

In spite of language in ANILCA which states that "(C)ongress believes that the need for future legislation designating new conservation systems units, new national conservation areas, or new national recreation areas, has been obviated [by passage of ANILCA], debate over the future disposition of federal lands in Alaska continues. The impacts of the Tongass Timber Reform Act of 1990, which placed an additional 299,696 acres in designated wilderness and 727,765 acres in a permanent roadless category (Land Use Designation II), are still being assessed. Additionally, the U.S. Forest Service is proposing wild, scenic and recreational river designations for a number of rivers in Southeastern Alaska. Further, recommendations for additional wilderness designations within the Alaskan national park units and national wildlife refuges may soon be submitted for congressional action. Currently before Congress are proposals for wilderness designation in the Arctic, Alaska Peninsula, and Becharof National Wildlife Refuges; for designation of a Beringian Heritage International Park in Northwestern Alaska; and to authorize subsistence and commercial fishing activities within Glacier Bay National Park.

Problems and conflicts between federal land management agencies and public land users continue. During 1991, Commission staff provided assistance to individuals having problems with access to private property within national park units, subsistence hunting on federal lands, and cabin use on BLM managed lands. Additionally, the Commission is committed to working to resolve the commercial and subsistence fishing issue in Glacier Bay and the subsistence access issue in Gates of the Arctic. We remain hopeful that the conflicts between Title VII of ANILCA and the State Constitution can be resolved and that Alaska can regain control of fish and game management on all the lands in the state.

In the coming year, the Commission will continue to advocate for maximum levels of public involvement in the planning and regulatory processes of all the federal agencies and for the protection of

customary and traditional uses of the federal lands in Alaska. As competition for resources increases, cooperation and understanding between user groups will be critical to successful management of these areas. At the same time, the federal agencies must recognize the role of the public in their planning and regulatory efforts and the effects of their decisions on the citizens of Alaska. The Citizens' Advisory Commission on Federal Areas will strive to work toward these and other stated goals during 1992.

Sincerely,

Lew Williams, Jr., Chairman
CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS



By: Stan Leaphart
Executive Director

CITIZENS' ADVISORY COMMISSION
ON FEDERAL AREAS
250 CUSHMAN STREET, SUITE 4H
FAIRBANKS, ALASKA 99701
(907) 456-2012
FAX# (907) 456-2039

CURRENT COMMISSION MEMBERS

Mr. Del Ackels
P.O. Box 72151
Fairbanks, Alaska 99707

Sen. Shirley Craft
119 N. Cushman St., Suite 201
Fairbanks, Alaska 99701

Rep. Richard Foster
P.O. Box 1630
Nome, Alaska 99762

Mr. Clarence Furbush
HC01 Box 6001
Palmer, Alaska 99645

Mr. Ralph Gregory
P.O. Box 7011
Ketchikan, Alaska 99901

Sen. Rick Halford
3111 "C" Street, Suite 530
Anchorage, Alaska 99503

Mr. Phil Holdsworth
326 Fourth Street, #1009
Juneau, Alaska 99801

Mr. Andrew Hope
8512 Rainbow Row
Juneau, Alaska 99801

Ms. Dorothy Jones
P.O. Box 689
Talkeetna, Alaska 99676

Rep. Gene Kubina
P.O. Box 1969
Valdez, Alaska 99686

Mr. Carl Marrs
2525 "C" Street, Suite 500
Anchorage, Alaska 99509

Mr. Steven B. Porter
10420 Lone Tree Drive
Anchorage, Alaska 99509

Mr. Arthur Robinson
35401 Kenai Spur Highway
Soldotna, Alaska 99669

Ms. Thyes Shaub
217 Second Street, Suite 201
Juneau, Alaska 99801

Mr. Lew M. Williams
755 Grant Street
Ketchikan, Alaska 99901

NOTE: Legislators' session address: P.O. Box V, Juneau, AK 99811