APPENDIXES

APPENDIX A: CONSISTENCY DETERMINATION FOR ALASKA COASTAL MANAGEMENT PROGRAM

The Coastal Zone Management Act of 1972, section 307(c) (PL 92-583) as amended, states that "each federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state coastal management programs."

The Alaska Coastal Management Act of 1977, as amended, and the subsequent Alaska Coastal Management Program (ACMP) and Final Environmental Impact Statement of 1979 set forth policy guidelines and standards used for review of this general management plan.

Separate consistency determinations related to the proposed Red Dog Mine have been prepared and are incorporated by reference into this determination. In its review of the Red Dog Mine Title 11 permit package, the state of Alaska on August 6, 1984, concurred that the proposal is consistent with the ACMP. The state reserved comment on the final recommended terms and conditions applicable to the NPS right-of-way permit until such time as terms and conditions of the permit are developed.

In its review of the land exchange, the state of Alaska on December 6, 1984, did not concur with the determination of consistency. In its letter the state recommended amendments to the consistency determination. The National Park Service is responding to those concerns and fully expects to mutually resolve the matter and receive a concurrence from the state in the near future.

The ACMP identifies 12 primary categories that are to be used in consistency evaluations. The basis of the following consistency determination is the environmental assessment that accompanied the Draft General Management Plan for the monument. The highlights of this assessment are organized in the ACMP format in the consistency determination.

The 12 categories in the ACMP and an indication of the parts that are applicable to this plan follow:

ACMP Categories

1.	Coastal development	Yes
2.	Geophysical hazard areas	Yes
3.	Recreation	Yes
4.	Energy facilities	No
5.	Transportation and utilities	No
6.	Fish and seafood processing	No
7.	Timber harvest and processing	No
8.	Mining and mineral processing	No
9.	Subsistence	Yes
10.	Habitats	Yes
11.	Air, land, and water quality	Yes
12.	Historic, prehistoric, and archeologial resources	Yes

The following matrix evaluates the consistency of the GMP with the requirements of each of the applicable categories identified.

Consistency Determination Matrix

ACMP Section	Policy	Evaluation of Preferred and Other Alternatives	Consistency
6 AAC 80.040 Coastal Development	(a) In planning for an approving development in coastal areas, districts and state agencies shall give, in the following order, priority to: 1) water-dependent uses and activities; 2) water-related uses and activities; 3) uses and activities which are neither water dependent nor water related for which there is no feasible and prudent inland alternative to meet the public need for the use or activity.	(a) The plan calls for little development in the monument. Developments would be water dependent or water related and would take place along the beach and lagoons of the monument. A seasonal ranger station will be located in the southern half of the monument. A permanent ranger station with one to three structures will be located in the northern half of the monument in conjunction with the Red Dog Mine if developed.	Consistent
	(b) The placement of structures and the discharge of dredged or fill material into coastal water must, at a minimum, comply with CFR, Title 33, Parts 320-323, July 19, 1977.	(b) The plan does not propose discharging any dredged or fill material into coastal waters.	Consistent
6 AAC 80.050 Geophysical Hazard Areas	(a) Districts and state agencies shall identify known geophysical hazard areas and areas of high development potential in which there is a substantial possibility that geophysical hazards may occur.	The plan does not propose developments in any known geophysical hazard area.	Consistent

	(b) Development in areas identified Under (a) of this section may not be approved by the appropriate state or local authority until siting, design, and construction measures for minimizing property damage and protecting against loss of life have been provided.		
6 AAC 80.060 Recreation	(a) Districts shall designate areas for recreational use. Criteria for designation of areas of recreational use are: (1) the area receives significant use by persons engaging in recreational pursuits or is a major tourist destination; or (2) the area has potential for high quality recreational use because of physical, biological, or cultural features.	(a) The plan recognizes and protects the monument's potential for high quality recreational opportunities related to its physical, biological, and cultural features.	Consistent
	(b) District and state agencies shall give high priority to maintaining and, where appropriate, increasing public access to coastal water.	(b) The establishment of the monument guarantees and provide for public access to federal lands adjoining coastal waters.	Consistent
6 AAC 80.120 Subsistence	(a) Districts and state agencies shall recognize and assure opportunities for subsistence usage of coastal areas and resources.	See appendix C of the draft plan "ANILCA SECTION 810 Subsistence Evaluation". This evaluation finds that the plan would not result in a significant restriction of subsistence uses within the monument.	Consistent

(b) Districts shall identify areas in which subsistence is the dominant use of coastal resources.

(c) Districts may, after consultation with appropriate state agencies, native corporations, and any other persons or groups, designate areas identified under (b) of this section as subsistence uses and activities have priority over all nonsubsistence uses and activities.

(d) Before a potentially conflicting use of activities may be authorized within areas designated under (c) of this section, a study of the possible adverse impacts of the proposed potentially conflicting use or activity upon subsistence usage must be conducted and appropriate safeguards to assure subsistence usage must be provided.

(e) Districts sharing migratory fish and game resources must submit compatible plans for habitat management.

60 AAC 80.130 Habitats	(a) Habitats in the coastal area which are subject to the Alaska Coastal Management Program include (1) offshore areas (2) estuaries (3) wetlands and tidelands (4) rocky islands and seacliffs (5) barrier islands and lagoons (6) exposed high energy coasts (7) rivers, streams, and lakes (8) important upland habitat (b) The habitats contained in (a) of this section must be managed so as to maintain or enhance the biological, physical, and chemical characteristics of the habitat which contribute to its capacity to support living resources.	The plan would serve to maintain the integrith and biological health of coastal habitats by promoting research and monitoring programs.	Consistent
6 AAC 80.140 Air, Land, and Water Quality	The statutes pertaining to and the regulations and procedures of the Alaska Department of Environmental Conservation with respect to the protection of air, land, and water quality are incorporated into the ACMP.	All requirements would be met by the plan. Development of any facilities would require compliance with applicable federal and state laws and regulations regarding air, land and water quality.	Consistent

6 AC 80.150 Historic, Prehistoric, and Archeological Resources	Districts and appropriate state agencies shall identify areas of the coast which are important to the study, understanding, or illustration of national, state, or local history or prehistory.	The National Park Service would would survey, evaluate, and protect archeological and historical sites within the monument as mandated by laws and regulations.	Consistent

DETERMINATION

A consistency determination has been prepared pursuant to the federal Coastal Zone Management Act of 1971, as amended, and the plan is consistent with the standards of the Alaska Coastal Zone Management Program (ACMP) of May 1979. The consistency determination was reviewed by the state of Alaska during the summer of 1985, and notification that the plan is consistent with the program's standards was received from the Office of the Governor in a letter dated August 30, 1985. Compliance with the ACMP pursuant to section 307 of the federal Coastal Zone Management Act of 1972, as amended, is thus assumed.

For proposed activities that directly affect the Coastal Zone, the National Park Service will comply to the maximum extent practical with the ACMP as it proceeds with additional plans, actions, and various permitted activities within the monument. This will take place by continued coordination and cooperation between the National Park Service and appropriate state agencies. A draft memorandum of understanding that addresses the process to achieve consistency is currently being worked on by state and federal officials.

APPENDIX B: NPS/ADF&G MASTER MEMORANDUM OF UNDERSTANDING

BETWEEN
THE ALASKA DEPARTMENT OF FISH AND GAME
JUNEAU, ALASKA
AND
THE U.S. NATIONAL PARK SERVICE
DEPARTMENT OF THE INTERIOR
ANCHORAGE, ALASKA

This Master Memorandum of Understanding between the State of Alaska, Department of Fish and Game, hereinafter referred to as the Department and the U.S. Department of the Interior, National Park Service, hereinafter referred to as the Service, reflects the general policy guidelines within which the two agencies agree to operate.

WHEREAS, the Department, under the Constitution, laws, and regulations of the State of Alaska, is responsible for the management, protection, maintenance, enhancement, rehabilitation, and extension of the fish and wildlife resources of the State on the sustained yield principle, subject to preferences among beneficial uses; and

WHEREAS, the Service, by authority of the Constitution, laws of Congress, executive orders, and regulations of the U.S. Department of the Interior is responsible for the management of Service lands in Alaska and the conservation of resources on these lands, including conservation of healthy populations of fish and wildlife within National Preserves and natural and healthy populations within National Parks and Monuments; and

WHEREAS, the Department and the Service share a mutual concern for fish and wildlife resources and their habitats and desire to develop and maintain a cooperative relationship which will be in the best interests of both parties, the fish and wildlife resources and their habitats, and produce the greatest public benefit; and

WHEREAS, the Alaska National Interest Lands Conservation Act (ANILCA) and subsequent implementing Federal regulations recognize that the resources and uses of Service lands in Alaska are substantially different than those of similar lands in other states and mandate continued subsistence uses in designated National Parks, plus sport hunting and fishing, subsistence, and trapping uses in National Preserves under applicable State and Federal laws and regulations; and

(copy)

WHEREAS, the Department and the Service recognize the increasing need to coordinate resource planning and policy development;

NOW, THEREFORE, the parties hereto do hereby agree as follows:

THE DEPARTMENT OF FISH AND GAME AGREES:

1. To recognize the Service's responsibility to conserve fish and wildlife and their habitat and regulate the human use on Service lands in Alaska, in accordance with the National Park Service Organic Act, ANILCA, and other applicable laws.

2. To manage fish and resident wildlife populations in their natural species diversity on Service lands, recognizing that nonconsumptive use and appreciation by the visiting public is a primary use and appreciation by the visiting public is a primary consideration.

3. To consult with the Regional Director or his representative in a timely manner and comply with applicable Federal laws and regulations before embarking on management activities on Service lands.

4. To act as the primary agency responsible for management of subsistence uses of fish and wildlife on State and Service lands, pursuant to applicable State and Federal laws.

5. To recognize that National Park areas were established, in part, to "assure continuation of the natural process of biological succession" and "to maintain the environmental integrity of the natural features found in them."

THE NATIONAL PARK SERVICE AGREES:

1. To recognize the Department as the agency with the primary responsibility to manage fish and resident wildlife within the State of Alaska.

2. To recognize the right of the Department to enter onto Service lands after timely notification to conduct routine management activities which do not involve construction, disturbance to the land, or alterations of ecosystems.

3. To manage the fish and wildlife habitat on Service lands so as to ensure conservation of fish and wildlife populations and their habitats in their natural diversity.

4. To cooperate with the Department in planning for management activities on Service lands which require permits, environmental assessments, compatibility assessments, or similar regulatory documents by responding to the Department in a timely manner.

5. To consider carefully the impact on the State of Alaska of proposed treaties or international agreements relating to fish and wildlife resources which could dimish the jurisdictional authority of the State, and to consult freely with the State when such treaties or agreements have a significant impact on the State.

6. To review Service policies in consultation with the Department to determine if modified or special policies are needed for Alaska.

7. To adopt Park and Preserve management plans whose provisions are in substantial agreement with the Department's fish and wildlife management plans, unless such plans are determined formally to be incompatible with the purposes for which the respective Parks and Preserves were established.

8. To utilize the State's regulatory process to the maximum extent allowed by Federal law in developing new or modifying existing Federal regulations or proposing changes in existing State regulations governing or affecting the taking of fish and wildlife on Service lands in Alaska.

9. To recognize the Department as the primary agency responsible for policy development and management direction relating to subsistence uses of fish and wildlife resources on State and Service lands, pursuant to applicable State and Federal laws.

10. To consult and cooperate with the Department in the design and conduct of Service research or management studies pertaining to fish and wildlife.

11. To consult with the Department prior to entering into any cooperative land management agreements.

12. To allow under special use permit the erection and maintenance of facilities or structures needed to further fish and wildlife management activities of the Department on Service lands, provided their intended use is not in conflict with the purposes for which affected Parks or Preserves were established.

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THE DEPARTMENT OF FISH AND GAME AND THE NATIONAL PARK SERVICE MUTUALLY AGREE:

1. To coordinate planning for management of fish and wildlife resources on Service lands so that conflicts arising from differing legal mandates, objectives, and policies either do not arise or are minimized.

2. To consult with each other when developing policy, legislation, and regulations which affect the attainment of wildlife resource management goals and objectives of the other agency.

3. To provide to each other upon request fish and wildlife data, information, and recommendations for consideration in the formulation of policies, plans, and management programs regarding fish and wildlife resources on Service lands.

4. To recognize that the taking of fish and wildlife by hunting, trapping, or fishing on certain Service lands in Alaska is authorized in accordance with applicable State and Federal law unless State regulations are found to be incompatible with documented Park or Preserve goals, objectives or management plans.

5. To recognize for maintenance, rehabilitation, and enhancement purposes, that under extraordinary circumstances the manipulation of habitat or animal populations may be an important tool of fish and wildlife management to be used cooperatively on Service lands and waters in Alaska by the Service or the Department when judged by the Service, on a case by case basis, to be consistent with applicable law and Park Service policy.

6. That implementation by the Secretary of the Interior of subsistence program recommendations developed by Park and Park Monument Subsistence Resource Commissions pursuant to ANILCA Section 808(b) will take into account existing State regulations and will use the State's regulatory process as the primary means of developing Park subsistence use regulations.

7. To neither make, nor sanction any introduction or transplant any fish or wildlife species on Service lands without first consulting with the other party and complying with applicable Federal and State laws and regulations.

8. To cooperate in the development of fire management plans which may include establishment of priorities for the control of wildfires and use of prescribed fires.

9. To consult on studies for additional wilderness designations and in development of regulations for management of wilderness areas on Service lands.

10. To resolve, at field office levels, all disagreements pertaining to the cooperative work of the two agencies which arise in the field and to refer all matters of disagreement that cannot be resolved at equivalent field levels to the Regional Director and to the Commissioner for resolution before either agency expresses its position in public.

11. To meet annually to discuss matters relating to the management of fish and wildlife resources on, or affected by, Service lands.

12. To develop such supplemental memoranda of understanding between the Commissioner and the Regional Director as may be required to implement the policies contained herein.

13. That the Master Memorandum of Understanding is subject to the availability of appropriated State and Federal funds.

14. That this Master Memorandum of Understanding establishes procedural guidelines by which the parties shall cooperate, but does not create legally enforceable obligations or rights.

15. That this Master Memorandum of Understanding shall become effective when signed by the Commissioner of the Alaska Department of Fish and Game and the Alaska Regional Director of the National Park Service and shall continue in force until terminated by either party by providing notice in writing 120 days in advance of the intended date of termination.

16. That amendments to this Master Memorandum of Understanding may be proposed by either party and shall become effective upon approval by both parties.

(copy)

STATE OF ALASKA
Department of Fish and Game

By /s/ Ronald O. Skoog
Ronald O. Skoog
Commissioner

Date 14 October 1982

U.S. DEPARTMENT OF THE INTERIOR
National Park Service

By John E. Cook
John E. Cook
Regional Director, Alaska

Date October 5, 1982

APPENDIX C: ANILCA 810 EVALUATION, CAPE KRUSENSTERN NATIONAL MONUMENT

I. INTRODUCTION

Section 810(a) of ANILCA states:

> In determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands under any provision of law authorizing such actions, the head of the Federal agency having primary jurisdiction over such lands or his designee 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 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.

The purposes for which the monument was established and how it shall be managed are presented in ANILCA, section 201(3) (see chapter I). Subsistence uses are to be permitted in conservation system units in accordance with Title VIII of ANILCA.

II. EVALUATION CRITERIA

The potential for significant restriction must be evaluated for effects of the proposed action and alternatives 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." Restriction on subsistence use would be significant if there were large reductions in the abundance of harvestable resources, major redistributions of those resources, or substantial interference with harvester access to active subsistence sites.

After evaluating the proposals and recommendations in the Draft General Management Plan for Cape Krusenstern National Monument against the criteria, an evaluation of significance to subsistence activities can be made.

1. Whether there is likely to be a reduction in subsistence uses because of

   (a) factors such as direct impacts on the resource, adverse impacts on habitat, or increased competition from nonrural harvesters

   (b) changes in availability of resources caused by an alteration in their distribution, migration, or location

   (c) limitations on the access to harvestable resources, such as by physical or legal barriers

2. The availability of the lands that could be used for the proposed action, including an analysis of existing subsistence uses of those lands; and

3. Alternatives that would reduce or eliminate the proposed action from lands needed for subsistence purposes.

III. PROPOSED ACTION ON FEDERAL LANDS

The National Park Service will implement a general mangement plan for Cape Krusenstern National Monument that would guide management of the area for the next 10 years. The plan presents proposals for the management of natural resources, cultural resources, visitor use and development, subsistence, and administration.

IV. ALTERNATIVES CONSIDERED

Two alternatives were considered in the Draft General Management Plan. This final plan is primarily based upon alternative 1, the preferred alternative. Minor modifications in the plan have been made in the preparation of this final plan.

V. AFFECTED ENVIRONMENT

As described in the subsistence use section in chapter II, the monument is part of a much broader area used by local residents for subsistence activities. Although a few activities are relatively specific to the monument, most subsistence pursuits take place throughout a broad area without regard to political boundaries. Primary users of the monument are Inupaiq Eskimos who reside in the villages of Kivilina, Noatak, Kotzebue, and Sheshalik, a small settlement developing on native-owned lands at Sheshalik Spit. All use the monument at various times for hunting, fishing, trapping, and gathering. Wood taken from the beaches and from the limited stands of spruce in the monument provide fuel for heating homes during the long cold winters.

VI. EVALUATION

In the determination of potential restrictions on existing subsistence activities, the evaluation criteria were analyzed relative to existing subsistence resources that could be impacted. The Draft General Management Plan/Environmental Assessment describes the total range of potential impacts that may occur. This section discusses any possible restrictions to subsistence activities.

The Potential to Reduce Populations, Adversely Impact Habitat, or Increase Competition from Nonrural Harvesters

No significant declines in populations would result from implementation of the plan. The National Park Service will continue to manage fish and wildlife species consistent with ANILCA, the master memorandum of understanding with the Alaska Department of Fish and Game, and NPS policies (see appendix B).

Conclusion: Implementation of the plan will not result in a reduction in the population of any harvestable resource, significantly impact habitat, or increase competition from nonrural harvesters.

Availability of Subsistence Resources

The distribution, migration patterns, and location of subsistence resources are expected to remain essentially the same.

Conclusion: The plan will not result in significant changes in the availability of resources caused by an alteration in their distribution, migration, or location.

Restriction of Access

Access to the monument for subsistence purposes is guaranteed by section 811 of ANILCA. Regulations implementing section 811 are already in place, and neither of the alternatives proposes changes in those regulations.

Conclusion: Neither of the alternatives would result in limitations on access to harvestable resources.

Availability of Other Lands for the Proposed Action

There are no other lands available for this action because the monument boundaries were established by Congress to achieve specific purposes. There are, however, lands outside the monument that are available for subsistence uses. The plan is consistent with the mandates of ANILCA and the National Park Service organic act.

Alternatives

No alternatives that would reduce or eliminate the proposed actions from lands needed for subsistence purposes were identified because preparation of a general management plan is required by ANILCA and the plan is consistent

with provisions of ANILCA related to subsistence. In addition, it is possible for subsistence users to utilize other lands outside the monument, and they do. Subsistence users utilize the lands most easily accessible that can provide for their needs and extend their activities to other areas on an "as needed" basis.

VII. CONSULTATION AND COORDINATION

The Alaska Department of Fish and Game and the NANA Coastal Resources Service Area Board were consulted throughout preparation of this plan. Further information is contained in the "Consultation and Coordination" section of the draft plan.

VIII. FINDINGS

Based upon the evaluation process, the National Park Service concludes that the plan would not result in significant restrictions of subsistence uses within Cape Krusenstern National Monument.

APPENDIX D: COMPLIANCE WITH OTHER LAWS, POLICIES, AND EXECUTIVE ORDERS

This appendix provides a reference to many applicable laws, executive orders, and policies that should be complied with in the general management plan for Cape Krusenstern National Monument.

Natural Environment

Clean Air Act, Clean Water Act: Actions in the plan would not affect air or water quality within the monument. All NPS facilities would meet or exceed standards and regulations for proper waste disposal estalished by the Environmental Protection Agency and the Alaska Department of Environmental Conservation.

Rivers and Harbors Act: Any permits required from the U.S. Army Corps of Engineers for work in navigable waters of the United States would be obtained.

Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands): Because no floodplain mapping exists for the monument, the National Park Service would assume worst-case conditions for placement of facilities. Development of any new facilities would be preceded by site-specific analyses. No proposal would affect wetlands within the monument.

Because there is little or no human habitation along the rivers in the monument, the Corps of Engineer does not consider floodplain mapping within the preserve a high priority in Alaska.

Prime and Unique Agricultural Lands: No arable lands have been identified within the monument.

Safe Drinking Water Act: The plan does not propose to provide any public drinking water within the monument.

Endangered Species Act: Pursuant to section 7 of the Endangered Species Act, the U.S. Fish and Wildlife Service was contacted in March 1984 for a list of threatened and endangered plant and animal species that might occur within the monument. In their response of March 28, 1984, the Fish and Wildlife Service stated that nesting by arctic peregrine falcons has been reported within the southern half of the monument. Although the total extent of nesting is unclear, the area is not considered to be one of the more important peregrine nesting areas. Additionally, Cominco Alaska Inc. consultants have, in their environmental studies for the proposed Red Dog Mine, noted the existence of arctic peregrine falcons near to the northern boundary of the monument.

As appropriate, consultation with the U.S. Fish and Wildlife Services will continue.

Protection of Waters Important to Anadromous Fish (Alaska Statutes Title 16): The Alaska Anadromous Fish Act (Stat. 16.05.870) provides protection to specific rivers, lakes, and streams or parts of them that are important for

the spawning, rearing, or migration of anadromous fish. The Noatak River and many portions of its tributaries are on the list of specific rivers that any person, organization, or governmental agency proposing construction that involves or uses one of the above water bodies must notify the commissioner of the ADF&G of this intention. Approval must be received from ADF&G before beginning such construction or use.

Hunting, Trapping, and Fishing: These uses, whether for sport or subsistence,are subject to state regulations. The National Park Service has by reference adopted state regulations so that concurrent enforcement can occur within the monument.

Alaska Coastal Management Program: A consistency determination has been prepared pursuant to the Alaska Coastal Management Act of 1977, as amended (see appendix A). Based on the findings of the consistency determination, the National Park Service has determined that the plan is consistent with the Alaska Coastal Management Program.

Marine Protection Research and Sanctuaries Act, Estuary Protection Act, Marine Mammal Protection Act: Projected visitor use levels and forms of human activity within the monument are not expected to significantly impact ecological systems, marine environments, or human health. Proposed actions comply with the Marine Protection Research and Sanctuaries Act of 1972 (16 USC 1451 et seq.). Proposals would not impact estuarine resources or marine mammal populations and are in compliance with the protection and conservation tenets as provided in the Estuary Protection Act (16 USC 1221) and the Marine Mammal Protection Act (16 USC 1361 et seq.).

Cultural Resources

On April 12, 1985, the National Park Service provided copies of the Draft General Management Plan/Environmental Assessment to the Advisory Council on Historic Preservation (ACHP) for their review and comment. On September 19, 1985, the regional director was notified that the document does not qualify for inclusion under the programmatic memorandum of agreement (PMOA) between the ACHP, National Park Service, and the National Conference of State Historic Preservation Officers. The general management plan did not present cultural resource information in sufficient scope and detail to allow for substantive ACHP review and section 106 compliance under the PMOA. Therefore, pursuant to section 106 of the National Historic Preservation Act, as amended in 1980, and until more specific planning documents are developed, the National Park Service will continue to consult with the Alaska State Historic Preservation Office and the ACHP on a case-by-case basis prior to implementing any action under the general management plan that may affect cultural resources.

Antiquities Act, Historic Sites Act, National Historic Preservation Act, Archeological Resources Protection Act: All actions will be in full compliance with appropriate cultural resource laws. All proposals and activities affecting or relating to cultural resources will be developed and executed with the active participation of professional archeologists, historians, anthropologists, and historical architects, in accordance with National Park Service "Management Policies" and "Cultural Resource Management

Guidelines" (National Park Service-28). No undertaking that would result in the destruction or loss of known significant cultural resources is proposed in this plan.

In accordance with the September 1981 amendment to the 1979 programmatic memorandum of agreement between the National Park Service, the Advisory Council on Historic Preservation, and the National Council of State Historic Preservation Officers, the National Park Service requested the advice and consultation of the Advisory Council and the Alaska State Historic Preservation Officer during the preparation of this plan. A meeting was held in Anchorage in April 1984 with the Alaska State Historic Preservation Officer to discuss coordination and consultation procedures for this plan. A second session, in November 1984, was also held at which time a status report was given to the State Historic Preservation Officer. The Advisory Council was provided a copy of the task directive for this plan. The council and the State Historic Preservation Officer received copies of the draft plan for comment and were invited to attend public meetings.

1982 National Park Service Native American Relationships Policy (derived from American Indian Religious Freedom Act of 1978): A thorough effort has been made to identify all native corporations and local native American groups and individuals who would be interested in participating in this planning effort and who have traditional ties with the monument. The planning team has met with representatives of these groups at various stages of the plan's development. These individuals and groups have been placed on the mailing list and will continue to be consulted, invited to all public meetings, and sent copies of all public information documents for review and comment.

The Museum Act of 1955 (69 Stat. 242; 16 USC 18 f)

Socioeconomic Environment

Concessions Policy Act: If the level of use within the monument increases to the point where commercial use licensees are replaced by concession permits, the concession permits or contracts would be issued in accordance with this act.

Achitectural Barriers Act: All public facilities in the monument and those in Kotzebue will to the extent possible be accessible to the handicapped.

APPENDIX E: MANAGEMENT OBJECTIVES

Cultural Resources:

1. For the purposes of the protection of cultural resources, identify and evaluate the monument's prehistorical, historical, and archeological, resources in a manner consistent with National Park Service policy and legislative and executive requirements.

2. Work toward the establishment of programs for the collection of information and data about the historical and cultural resources so that they are properly managed and preserved.

3. Devise plans so that public visitation, research, commercial fishing, mining, subsistence uses, and other activities do not impair cultural resources or their setting.

4. Assemble cultural resources information, including oral and written materials, to be used in interpretive programs for the enjoyment and education of visitors.

5. Encourage and assist private landowners within the monument and individuals, groups, and native corporations in surrounding communities to protect and preserve cultural resources and the cultural heritage of the region.

6. In accordance with the provisions of section 1304 of ANILCA, devise a plan for identifying significant archeological and paleontological sites that are closely associated with and might be added to the monument but are presently outside the monument's boundary.

7. Prepare a scope of collections statement to serve as a guide for the staff of the monument to acquire museum objects.

8. Encourage and support research activities by professionally qualified individuals, groups, and institutions for the identification and evaluation of further cultural resources within the monument and region.

9. Devise programs for compiling information on the cultural patterns--including current subsistence activities--of contemporary Eskimos in the region.

Natural Resources

1. Manage natural resources to perpetuate ecological processes and systems.

2. Collect information and data about the fluctuating population cycles of certain wildlife and their impacts so that managers of the monument have a basis for making decisions that will allow natural forces to interact as freely as possible and thereby determine the shapes and substances of the environment.

3. Consider man, particularly the subsistence user, an integral part of the monument's total ecosystem and encourage his living in harmony with the other parts so as to maintain natural balances.

4. Develop and implement plans to provide for the adequate protection of natural wildlife and their habitats and at the same time accommodate subsistence hunting, trapping, fishing, and gathering as provided by ANILCA.

5. Preserve natural features and ecological relationships essential for the perpetuation of representative natural biotic communities in this arctic environment.

6. Encourage and assist private landowners and users of monument resources to protect the natural feature of the area.

7. Annually update the resources management plan to determine projects and studies necessary to provide information and data needed for the protection of natural resources.

Visitor Use and Interpretation:

1. Study and inventory recreational resources as a basis for providing visitors with informational materials, programs, and services to enhance their opportunities for enjoyable, educational, and safe ways to see and experience the cultural and natural resources without adversely impacting them.

2. Devise plans in accordance with the provisions of ANILCA to accommodate subsistence users, guided by management's concerns about and responsibilities to maintain the quality of wildlife habitat and natural and healthy populations of wildlife.

3. Provide information services and interpretive programs at the headquarters in Kotzebue to enhance visitor opportunities to understand, appreciate, and enjoy resources of the monument. Specifically these services and programs would focus on the interaction of natural processes and the development of Eskimo culture; geological phenomena such as the beach ridges; Cape Krusenstern; glacial and permafrost features; archeological discoveries and the potential for more; and the role of subsistence activities in the ecosystem.

Visitor Protection and Safety:

1. Devise procedures and programs to inform the public about the inherent dangers in this arctic environment and develop safety measures for the purpose of preventing injuries to visitors.

2. Employ and develop a staff of well-trained, well-equipped field personnel to operate effectively in emergencies in both matters of search and rescue and law enforcement.

3. Devise procedures for providing visitors with such safety measures as reports of weather and other conditions, information about visitor contact points and possible shelters, emergency message systems, and that subsistence activities occur in the monument.

4. Work toward accomplishing cooperative agreements with qualified groups or individuals for the purpose of establishing procedures that will provide visitors with maximum protection and safety.

Development of Facilities:

1. Study the feasibility of and need for development of public contact points and or ranger stations to facilitate management and operations and provide for visitor services.

2. Should development be feasible and necessary, undertake projects that blend into the natural and cultural setting and use equipment and materials that conserve energy and other resources and protect the environment.

3. Observe and collect data on visitor uses for the purposes of determining the feasibility of and need for constructing primitive campsites, primitive shelters, and access points.

4. Elicit the cooperation of private landowners in the monument to undertake construction and development that recognize and respect the natural and cultural integrity of the monument and the needs of visitors, and encourage as much as possible that visitor accommodations and bases of operations be developed outside the monument boundary.

Concessions:

1. Identify appropriate levels and types of commercial services feasible for providing visitor services and issue concessions contacts, permits, and commercial use licenses as appropriate to those best able to meet the needs of visitors and protect resources as provided for in ANILCA.

2. Establish programs to collect data on public use and needs and make this information available to potential concessioners so that accommodations and services are the results of public needs and are compatible with proper management of monument resources.

Administration:

1. Provide adequate staff for visitor services and to perpetuate the resources of the monument.

2. Prepare and update planning documents to guide management in making appropriate administrative decisions.

3. Conduct, sponsor, and encourage continuing studies and other information-gathering methods focused on cultural and natural resources

and visitor uses so that management has an increasing data base upon which to make decisions.

4. Locate sites when and where necessary for administrative efficiency, visitor contact, interpretive services, patrol operations, conducting cooperative search-and-rescue missions, and cooperative resources management programs.

5. Study the feasibility of establishing management units or zones for the purpose of streamlining managerial responsibilities regarding visitor services and the use and perpetuation of resources.

6. Meet staffing objectives that take into account the knowledge and skills of cultural resources, local persons, and the physical demands of working under severe environmental conditions.

7. Accomplish and keep current a regional fire management plan in cooperation with federal and state agencies and private landowners.

8. Accommodate legally mandated transportation systems in accordance with ANILCA and other applicable laws.

Cooperative Planning:

1. Develop cooperative management programs with managers of adjoining lands and waters and private landowners within the monument to protect viable populations of wildlife, biotic communities, and/or associations and historical and cultural resources; arrive at a practical means for dealing with refuse and garbage disposal; develop essential services for the protection of human life and the resources of the area; and promote compatible complementary uses of adjacent lands and waters.

2. Work toward arriving at cooperative agreements with native groups and corporations, special interest groups, local governments, state and federal agencies, and the USSR in cultural and natural sciences research and programs.

3. Establish working agreements with private interests, local government, and state and federal agencies for the purpose of developing feasible community and regional plans, and further to involve local native residents and native organizations in developing educational programs to inform visitors about native culture and lifestyles.

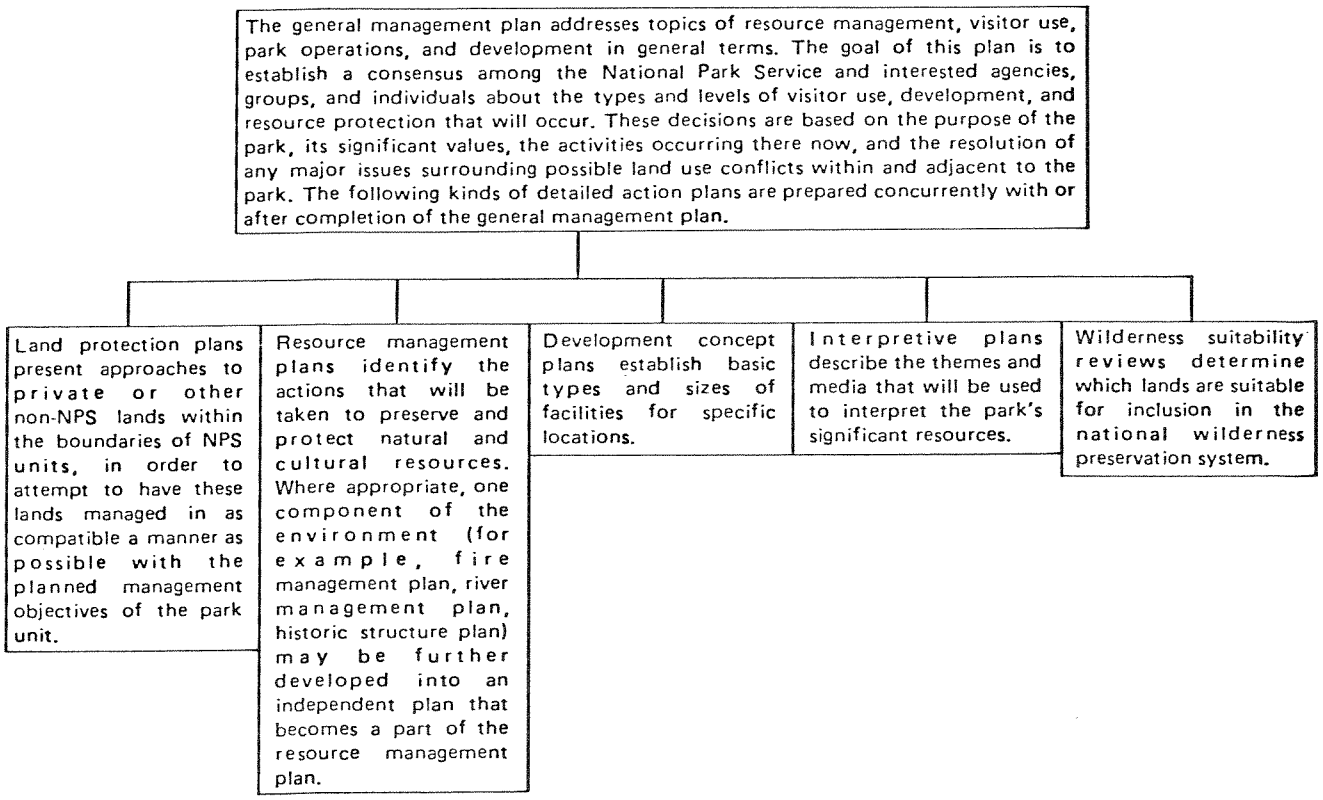
APPENDIX F: NATIONAL PARK SERVICE PLANNING PROCESS

ANILCA REQUIREMENTS

Section 1301 of the Alaska National Interest Lands Conservation Act (ANILCA: PL 96-487) requires the preparation of conservation and management plans for each unit of the national park system established or enlarged by ANILCA. These plans are to describe programs and methods for managing resources, proposed development for visitor services and facilities, proposed access and circulation routes and transportation facilities, programs and methods for protecting the culture of local residents, plans for acquiring land or modifying boundaries, methods for ensuring that uses of private lands are compatible with the purposes of the unit, and opportunities for mutually beneficial cooperation with other regional landowners.

NPS PLANNING DOCUMENTS

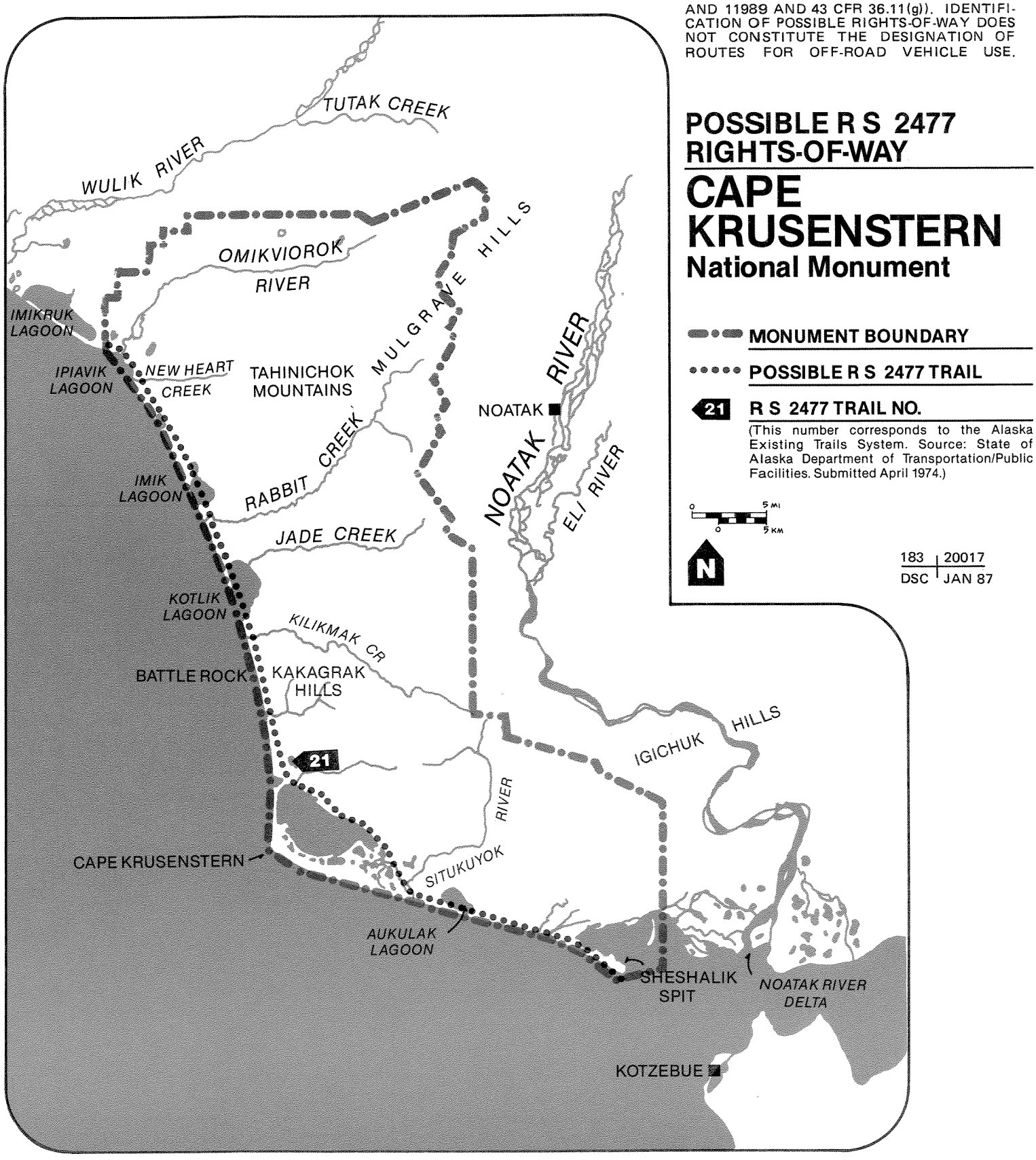
The National Park Service planning process for each park (preserve, monument, or other unit of the system) involves a number of stages, progressing from the formulation of broad objectives, through decisions about what general management direction should be followed to achieve the objectives, to formulation of detailed actions for implementing specific components of the general management plan.



Depending largely on the complexity of individual planning efforts, action plans may or may not be prepared simultaneously with the general management plan. If they are prepared after the general plan, the NPS public involvement and cooperative planning efforts are continued until all of the implementation plans are completed.

APPENDIX G: POSSIBLE RS 2477 RIGHTS-OF-WAY

THIS MAP DOES NOT ESTABLISH THE VALIDITY OF THESE POTENTIAL RIGHTS-OF-WAY AND DOES NOT PROVIDE THE PUBLIC THE RIGHT TO TRAVEL OVER THEM. THIS MAP HAS BEEN PROVIDED BY THE STATE TO ILLUSTRATE RIGHTS-OF-WAY THAT THE STATE HAS IDENTIFIED AND CONTENDS MAY BE VALID UNDER RS 2477. THE USE OF OFF-ROAD VEHICLES IN LOCATIONS OTHER THAN ESTABLISHED ROADS OR DESIGNATED ROUTES IN UNITS OF THE NATIONAL PARK SYSTEM IS PROHIBITED (E.O. 11644 AND 11989 AND 43 CFR 36.11(g)). IDENTIFICATION OF POSSIBLE RIGHTS-OF-WAY DOES NOT CONSTITUTE THE DESIGNATION OF ROUTES FOR OFF-ROAD VEHICLE USE.



APPENDIX H: LAND PROTECTION PLAN, METHODS OF ACQUISITION

Primary methods of acquisition of fee-simple and less-than-fee interests in lands are donation, purchase, exchange, and relinquishment. Discussion of these methods follows:

Donation: Landowners may want to donate their land or specific interests in their land to achieve conservation objectives. Tax benefits of a donation could also be an important incentive to some people. Donations of fee-simple title are deductible from taxable income. Easement donations also may provide deductions from taxable income but are subject to certain Internal Revenue Service requirements to qualify as a charitable contribution.

Landowners are encouraged to consult qualified tax advisors to discuss the detailed advantages of donations. National Park Service representatives may be able to provide some general examples of tax advantages but cannot provide tax advice or commitments of what deductions would be allowed by the Internal Revenue Service.

Exchange: Land or interests in land may be acquired by exchange. The land to be exchanged must be located in Alaska and must be of approximately equal value. Any small differences in value may be resolved by making cash payments. However, exchanges may be made for other-than-equal value if the secretary determine it is in the public interest (section 1302(h) of PL 96-487).

The National Park Service will also consider other federal lands within the authorized boundary as potential exchange land to consolidate National Park Service management.

The National Park Service will also work with the Bureau of Land Management and the General Services Administration to determine if any additional federal land may be available for exchange purposes.

Purchase: Acquisition by purchase requires funds to be appropriated by Congress or donated from private sources. Funding for purchases depends primarily on future appropriations. Potential donations of funds or purchases by individuals or organizations interested in holding land for conservation purposes would be encouraged.

Relinquishment: State and native corporation land applications may be relinquished resulting in retention of the lands in fee ownership by the National Park Service.

APPENDIX J: DEFINITION OF TRADITIONAL

In applying the provisions of ANILCA as related to "means of surface transportation traditionally employed" (section 811) and "the use of snowmachines . . ., motorboats, airplanes, and nonmotoried surface transportation methods for traditional activities" (section 1110), the National Park Service has relied on the following definitions of "tradition(al)" from Webster's Third New International Dictionary of the English Language (unabridged), 1976:

> 2. The process of handing down information, opinions, beliefs, and customs by word of mouth or by example: transmission of knowledge and institution through successive generations without written instruction . . .
>
> 3. An inherited or estalished way of thinking, feeling, or doing; a cultural feature (as an attitude, belief, custom, institution) preserved or evolved from the past; usage or custom rooted in the past (as of a family or nation); as a (1) a doctrine or practice or a body of doctrine and practice preserved by oral transmission (2) a belief or practice or the totality of beliefs and practices not derived directly from the Bible . . .
>
> 5.a. Cultural continuity embodied in a massive complex of evolving social attitudes, beliefs, conventions, and institutions rooted in the experience of the past and exerting an orienting and normative influence on the present. b. the residual elements of past artistic styles or periods.

The National Park Service recognizes that it would be valuable to pursue, with those affected, the refinement of this definition in the context of the legislative history. In the interim the National Park Service will continue to use this definition in applying the above-referenced provisions of ANILCA. In order to qualify under ANILCA, a "traditional means" or "traditional activity" has to have been an established cultural pattern, per these definitions, prior to 1978 when the unit was established.

APPENDIX K: FINDING OF NO SIGNIFICANT IMPACT

The National Park Service is proposing to implement the final general plan and land protection plan for Cape Krusenstern National Monument. The general management plan is intended to guide the management of the monument for a period of 10 years and addresses all the major topics of management, including resources, management, general public use, subsistence, access, and development. The land protection plan is reviewed, and revised as necessary, every two years, and presents proposals for the nonfederal land within and near the monument.

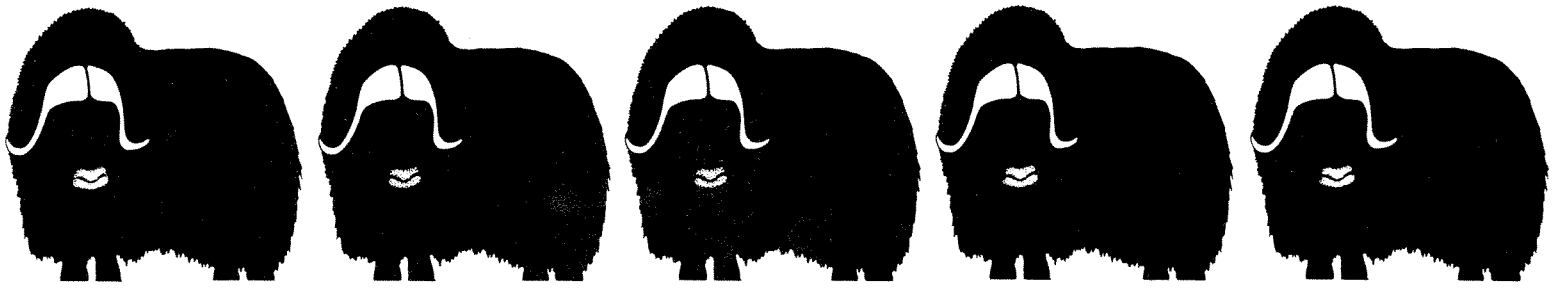
A Draft General Management Plan/Land Protection Plan/Wilderness Suitability Review/Environmental Assessment was distributed to the public in the spring of 1985, and comments were accepted until the end of August. A subsequent revised draft was distributed for 60-day public comment period in December of 1985.

The environmental assessment analyzed the impacts of two alternative management strategies for the monument, including the impacts on wildlife, vegetation, cultural resources, monument operations, and the local economy. It was determined that the proposal will cause no adverse impacts on the public health, public safety, or rare or endangered species. No highly uncertain or controversial impacts, or significant cumulative effects, were identified. Any negative environmental effects will be minor and temporary. The proposal will result in positive effects upon natural and cultural resources within the monument as a result of natural resource research and monitoring and through cultural resource identification and protection. Complete evaluation of impacts resulting from the proposal and alternatives can be found in the Draft General Management Plan/Land Protection Plan/Wilderness Suitability Review/Environmental Assessment (March 1985).

Based on the environmental analysis and public and agency comment on the proposed plans, I have determined that the proposed federal action will not significantly affect the quality of the human environment, and therefore an environmental impact statement will not be prepared.

Regional Director, Alaska Region

11/26/86
Date



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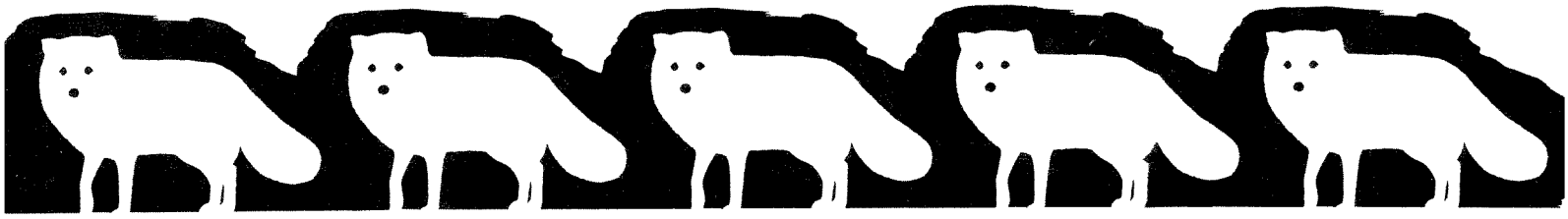

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As the nation's principal conservation agency, the Department of the Interior has basic responsibilities to protect and conserve our land and water, energy and minerals, fish and wildlife, and parks and recreation areas, and to ensure the wise use of all these resources. The department also has major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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