

# **ENVIRONMENTAL ASSESSMENT**

**Add the Villages of Northway, Tetlin, Tanacross,  
and Dot Lake  
to the Resident Zone  
for  
Wrangell-St. Elias National Park**

**Prepared by:  
Wrangell-St. Elias National Park and Preserve  
September 21, 1998**

# *Table of Contents*

---

Purpose and Need for Action.....	Page 1
Background.....	Page 1
Role of the Subsistence Resource Commission.....	Page 2
SRC Recommendations and Responses.....	Page 2
Determination of Resident Zone Eligibility.....	Page 3
Description of the Affected Environment.....	Page 4
Description of Alternatives	
Alternative A.....	Page 6
Alternative B.....	Page 7
Alternative C.....	Page 7
Alternatives considered but rejected from further analysis.....	Page 7
Environmental Analysis	
Alternative A.....	Page 8
Alternative B.....	Page 10
Alternative C.....	Page 12
Impacts of Alternatives (Table).....	Page 15
References.....	Page 15
Consultation and Coordination.....	Page 16
Preparers.....	Page 16
Appendix A: Subsistence 810 Analysis.....	Page 17

# ENVIRONMENTAL ASSESSMENT

## Add the Villages of Northway, Tetlin, Tanacross and Dot Lake to the Resident Zone for Wrangell-St. Elias National Park

### Purpose and Need

The National Park Service (NPS) is considering adding the communities of Northway, Tetlin, Tanacross and Dot Lake to the resident zone for Wrangell-St. Elias National Park (WRST). This designation would allow residents of these four communities to engage in subsistence hunting and trapping in the park in accordance with Federal Subsistence Management regulations. The proposed action would be implemented through a regulatory change in the National Park Service (NPS) regulations under 36 CFR Part 13, Subpart C. The regulation will stipulate that each of the four communities must work with the Superintendent on defining a boundary around their community within two years or US Census Designated Place boundaries will become the community boundary. Two other alternatives are also considered, the no action (status quo) alternative and designating the four new communities without defining their boundary.

The proposed action responds to hunting plan recommendations made by the Wrangell-St. Elias National Park Subsistence Resource Commission. Subsistence Resource Commissions were established by ANILCA to devise a hunting plan for the park which addresses, in part, subsistence eligibility.

This environmental assessment (EA) has been prepared in accordance with the National Environmental Policy Act of 1969 and the regulations of the Council of Environmental Quality (40 CFR 1508.9). It evaluates the potential impacts to cultural and natural resource values which could result from the designation of four new resident zone communities. The EA is intended to facilitate decision-making based on an understanding of the environmental consequences of the proposal and determine whether preparation of an environmental impact statement is required.

### Background

Title VIII of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) provides for the continuation of customary and traditional uses of fish and wildlife resources on public lands by residents of rural Alaska. For preserves and designated parks and monuments, ANILCA section 203 provides for subsistence uses by "local" rural residents. The legislative history of ANILCA includes Congress' intent "that communities which contain concentrations of local rural residents with established or historical patterns of subsistence use of wildlife within those units [national parks and national park monuments] be identified and designated as *resident zones*" The legislative history noted the benefits of the designation of resident zones included the following: 1) the NPS would be "....spared the expense and administrative complications attendant in the implementation of a comprehensive permit system.", 2) "...traditional movement of local rural residents between rural villages and Alaska's larger

population centers can continue...without the interference of a complicated administrative structure.”, and 3) “...most importantly, rural communities and cultures will not be burdened by implementation of a complex, and in many instances culturally disruptive, regulatory system, unless necessary in specific instances to protect and administer unit values.” The legislative history further notes “the resident zone approach to subsistence hunting is consistent with the protection of park and monument values only so long as such zones remain composed primarily of concentrations of residents with an established or historical pattern of subsistence uses of wildlife within the units.” (Senate Report 96-413, 11/5/79, p. 169-170).

To implement the “local” mandate of ANILCA and the Congressional intent to avoid a subsistence permit system, the NPS adopted regulations for NPS units in Alaska (Federal Register, Vol. 48, No. 116, Wednesday, June 17, 1981). Section 13.42 of these regulations (found in Title 36 of the Code of Federal Regulations) defines a “local rural resident” as “any person who has his primary, permanent home within the resident zone...” or “...any person authorized... by a subsistence permit issued pursuant to Section 13.44.” Resident zones consist of “the area within a national park or monument, and the communities and areas near, a national park or monument in which persons who have customarily and traditionally engaged in subsistence uses within the national park or monument permanently reside” (Section 13.42).

Section 13.73 of the NPS regulations lists the following 18 communities and areas that are currently included within the resident zone for Wrangell-St. Elias National Park: Chisana, Chistochina, Chitina, Copper Center, Gakona, Gakona Junction, Glennallen, Gulkana, Kenny Lake, Lower Tonsina, McCarthy, Mentasta, Nabesna, Slana, Tazlina, Tok, Tonsina, and Yakutat. These communities were designated as resident zone communities when the NPS regulations in Alaska were first published in 1981.

Access to subsistence resources, including access into wilderness, is provided for in section 811 of ANILCA. Authorized means of access for subsistence uses are snowmachines, motorboats, dog teams, and saddle and pack animals. These uses are governed by 36 CFR §13.46. The use of off road vehicles, including all-terrain vehicles, for subsistence purposes may be permitted on established routes, where their use was customary and traditional, under a permit system established by the superintendent. The superintendent can close routes, designate routes, or impose restrictions on the season of use, type and size of ORVs, vehicle weight, or the number of vehicles or trips. The use of aircraft as a means of access to areas within the designated National Park for purposes of taking fish and wildlife for subsistence purposes is prohibited.

### **The Role of the Subsistence Resource Commission**

Title VIII of ANILCA established (in Section 808) subsistence resource commissions for each national park or national park monument area in Alaska where subsistence uses are permitted. Pursuant to this section, a subsistence resource commission was established for Wrangell-St. Elias National Park. Section 808 directs each SRC to “devise and recommend to the Secretary and the Governor [of Alaska] a program for subsistence hunting within the park or park monument.” Section 808 also directs the Secretary to “promptly implement the program and recommendations submitted to him by each commission unless he finds in writing that such program or recommendations violates recognized principles of wildlife conservation, threatens the conservation of healthy populations of wildlife in the park or park monument, is contrary to the purposes for which the park or park monument is established, or would be detrimental to the satisfaction of subsistence needs of local residents.”

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

On August 8, 1986, the Wrangell-St. Elias National Park SRC, pursuant to Section 808 of ANILCA, submitted a hunting plan recommendation, to the Secretary of the Interior (and to the Governor of Alaska) requesting that the village of Northway be included as a resident zone community for the park. On May 16, 1988, the Secretary of the Interior responded to the SRC stating that the NPS had no indication from residents of Northway that they had any

interest in subsistence hunting in the park or that they have a history of customary and traditional subsistence use within the park.

In December 1991 the SRC once again made a recommendation to the Secretary of the Interior regarding the establishment of Northway as a resident zone community. In December 1989, the SRC held a public meeting in Northway to receive testimony from the residents of Northway regarding their historical use of Wrangell-St. Elias National Park and Preserve. The SRC felt that the testimony they received justified Northway's inclusion as a resident zone community. The meeting also gave a clear indication that residents in Northway were interested in subsistence hunting in the park.

The Alaska Department of Fish and Game Subsistence Division provided information indicating that residents of Northway historically used the northern portion of Wrangell-St. Elias National Park. Additionally, both the Interior and the Southcentral State Regional Advisory Councils expressed their support for the inclusion of Northway in the resident zone.

In the Secretary's response to the SRC, the NPS was directed to verify if a significant concentration of local rural residents of Northway have a historic use of subsistence resources within the park. If so, then the NPS would define the boundaries of Northway and they would initiate a rulemaking process to add Northway as a resident zone community.

Again in December 1991 the SRC prepared a hunting plan recommendation to add Northway to the resident zone citing testimony received from elders in the community as justification for the action. The response from the Secretary of Interior indicated that if a significant concentration of local rural residents with a history of subsistence use of the park's resources resided in Northway then a rulemaking process could be initiated to add Northway as a resident zone community. The Secretary stipulated that if a rulemaking process were initiated that NPS would define the boundaries of the community as part of the designation process.

The Federal Southcentral Regional Advisory Council transmitted a recommendation to the Secretary of Interior, through the Federal Subsistence Board, in 1993 requesting that Northway and Tetlin be designated as resident zone communities. NPS replied that work being conducted by the agency on federal customary and traditional use determinations under the auspices of the Federal Subsistence Board may contribute to the question of whether the community of Northway had customarily and traditionally used subsistence resources in the park. They also indicated that the process may yield similar information regarding Tetlin.

Later, both Dot Lake and Tanacross village representatives came forward requesting consideration for their communities' addition to the resident zone. They provided evidence of their use of the park for the harvest of subsistence resources and the SRC was persuaded to add them to their recommendation.

### **Determination of Resident Zone Eligibility**

According to 36 CFR §13.43(b)(1), after notice and comment, including public hearing in the local affected vicinity, a community or area near a national park or monument may be added to a resident zone. This determination must be made on the basis of a communities' use of subsistence resources within the park, not the preserve.

The NPS, using the criteria for "significant concentrations" found in Fed. Reg. Vol. 46, No. 116, pp. 31850-1, is persuaded to agree with the SRC that the communities of Northway, Tetlin, Tanacross, and Dot Lake should be established as resident zones. The NPS made its determination to recommend the addition of these communities to the resident zone based on: (1) a customary and traditional analysis prepared by the NPS; and (2) the 1997 customary and traditional use finding by the Federal Subsistence Board for these four communities in Game

Management Units 11, 12, and 13 (Game Management Unit 11, and portions of 12, and 13 are located within Wrangell-St. Elias National Park and Preserve) and (3) a combination of personal testimony, information supplied by the communities and information from the issuance of 13.44 permits.

In 1991, the Alaska Department of Labor reported the following 1980 and 1990 populations: Northway (73, 123), Northway Junction (Unknown, 88), Northway Village (112, 113), Tetlin (107, 87), Tanacross (117, 106) and Dot Lake (67, 70). Excluding, possibly, Northway, none of these communities show a significant change in total number of individuals. According to the Alaska Department of Labor, 1991, the majority of the people residing in these four communities were Alaska Natives. In 1990 the percentage of Native people were: Northway 64%, Northway Junction 71%, Northway Village 95%, Tetlin 100%, Tanacross 90% and Dot Lake 54.2%. Several reports demonstrate that these Native peoples have direct ties to either park/preserve resource utilization and/or ancestral ties to other resident zone communities.

The question of whether or not members of these four communities practiced subsistence activities in the park versus preserve is very difficult to establish for the contemporary period, although their historical customary and traditional harvest practices were well documented prior to the establishment of Wrangell-St. Elias National Park and Preserve. Regulatory restrictions, changing ranges and numbers of wildlife populations, and hunter competition, as well as employment opportunities and mandatory schooling (since about 1950) which led to a more sedentary lifestyle, has resulted in changing harvest patterns over time.

Park and preserve boundaries were based on political lines drawn on a map and not on range and distribution of wildlife or fisheries. Early accounts of subsistence hunting and fishing focus more on broad areas and species, rather than specific locations. For example, it is well documented that caribou were of primary importance to the Upper Tanana people. Since the historic territory of the Upper Tanana people extends into the northern portion of the Wrangell Mountains and that two caribou herds (Mentasta and Chisana) range along the same area, then it is a good assumption that the Upper Tanana people utilized these herds throughout their range. This holds true for all subsistence species, except possibly mountain goats where their northern extent includes a small portion of the northern Wrangell Mountains.

### **Affected Environment**

In 1978 most of the area now encompassed by Wrangell-St. Elias National Park and Preserve was declared a National Monument by presidential proclamation. The passage of the ANILCA in December, 1980 redesignated the National Monument to a National Park and Preserve and expanded its boundary to the present size. This conservation system unit, the largest in the National Park Service, contains 13.2 million acres, of which approximately one million acres are privately owned.

Wrangell-St. Elias National Park and Preserve is located in southcentral and southeastern Alaska and is an integral part of the greater Copper River ecosystem (see figure 1). The landscape is dominated by the eastern portion of the Alaska, Wrangell, St. Elias and Chugach Mountain ranges. Volcanic action, earthquakes and ice have shaped the landscape over the past millennia. The complex topography resulting from these actions has profoundly influenced habitat diversity, distribution of species, biotic processes, and climate.

Six major river systems originate within Wrangell-St. Elias and the lowlands are dotted with lakes and bogs. Major salmon runs occur in the Copper River and tributary streams.

The vegetation is influenced by both interior and coastal climatic conditions which help to create a diverse vegetative mosaic. The lowlands on the northern and western slopes of the Wrangell Mountains are covered with extensive black spruce, balsam poplar and aspen stands. These extend southward to the Chitina River Valley.

Figure 1 here.

The Bremner River system valleys and the forested portions of the Malaspina Forelands are carpeted with alder thickets and stands of Mountain Hemlock and Sitka Spruce characteristic of the coastal environment.

The diversity of vegetation produces equally diverse wildlife populations. Wildlife species identified as significant contributors to park values include brown/grizzly bears, black bear, moose, caribou, wolf, trumpeter swans, bald and golden eagles, Dall sheep and mountain goats.

Wrangell-St. Elias National Park and Preserve contains within its boundaries lands and resources that have provided for the subsistence use by local residents since prehistoric times. Native groups utilized the fish, wildlife and plant resources as the basis of their livelihood before the arrival of Europeans and continue to make use of such resources today.

Europeans entered this region during the 1700's with the attempt by the Russians to foster a local fur trade industry. It was not until the late 1800's and early 1900's that large numbers of non-natives moved into and became a permanent part of the population of the general region. Significant changes in the economy, technology, and the socio-cultural environment accompanied these non-natives, but they largely incorporated the use of wild game, fish and plant life into their diet.

In a general order of importance to local subsistence users the following resources are utilized: salmon, furbearers, moose, caribou, Dall sheep, mountain goats, waterfowl, hare and bear. Persons living within the park also rely on timber for firewood and building materials. Other resources such as berries, ptarmigan, spruce grouse, trout, etc. are also taken from park lands on a small scale. There are variations in this list of priority resources in accordance with differences in localities and lifestyles.

Spatially, the areas of greatest use are the lowlands and foothills of the park. The Wrangell-St. Elias area is difficult for many residents to utilize. The Copper River, a swift, turbulent, and silt laden stream, separates the parkland from such communities as Glennallen, Gulkana, and Copper Center. Extensive lowland bogs, tussock covered tundra, and smaller waterways add to the difficulty of summer travel. However, access may be obtained from points along the Chitina to McCarthy, Strelna to Kotsina River, and the Slana to Nabesna Road corridors. Winter conditions solidify the local waterways and smooth over the rough surface with snow allowing for easier access into park lands.

## **Description of Alternatives**

**Alternative A:** (No Action) Retain the existing resident zone communities and take no action on the SRC recommendation to add Northway, Tetlin, Tanacross and Dot Lake as resident zone communities.

Under this alternative the existing 18 resident zone communities for WRST would be retained. The communities included in the resident zone as defined by 36 CFR 13.73(a) are: Chisana, Chistochina, Chitina, Copper Center, Gakona, Gakona Junction, Glennallen, Gulkana, Kenny Lake, Lower Tonsina, McCarthy, Mentasta Lake, Nabesna, Slana, Tazlina, Tok, Tonsina, and Yakutat. This alternative provides subsistence eligibility to almost 80% of the residents of the Copper River basin without requiring them to apply for a subsistence use eligibility permit (authorized under 36 CFR 13.44). The remaining 587 (according to the 1990 census) residents of the Upper Tanana region would have to individually establish eligibility by applying for a subsistence use eligibility permit (13.44) from the NPS.



**Alternative B:** (NPS Preferred Alternative) Designate Northway, Tetlin, Tanacross and Dot Lake as resident zone communities, with defined boundaries, for the purpose of utilizing subsistence resources within Wrangell-St. Elias National Park.

This alternative represents the NPS preferred alternative. The four communities named would be added to the list of 18 previously established resident zone communities. As resident zone communities, all residents of these communities would be eligible to harvest subsistence resources in Wrangell-St. Elias National Park, in accordance with Federal Subsistence Management regulations. Each of the four communities would have up to two years from the date of publication of a final rule designating these communities as resident zones to recommend community boundaries to the Superintendent. If any of the newly established resident zone communities fail to establish acceptable boundaries within two years, the Superintendent will designate a boundary for them based on the 1990 Census Designated Places (CDP) boundaries established by the US Bureau of Census. The CDP boundaries for these communities (and their population according to the 1990 census) would include: 1) the Dot Lake CDP (70), including the Native Village of Dot Lake and Dot Lake, 2) Tetlin CDP (87), 3) Tanacross CDP (106), and 4) Northway (123), Northway Village (113) and Northway Junction (88) CDPs.

Any individual who lives outside the boundary of a community who feels they have a customary and traditional use of park resources may apply to the Superintendent of Wrangell-St. Elias National Park and Preserve for a subsistence use eligibility permit, authorized under 36 CFR § 13.44. Thus, resident zone delineation does not preclude individuals or families who live outside the boundary of the resident zone from becoming qualified to hunt for subsistence purposes in the park due, necessarily, to their location of permanent residence.

**Alternative C:** Designate Northway, Tetlin, Tanacross and Dot Lake as resident zone communities, without the requirement to establish a community boundary.

This alternative is similar to alternative B, in that the four communities would be added to the resident zone for Wrangell-St. Elias National Park. However, community boundaries would not be delineated. An individual's community would be based on which community an individual indicates they are affiliated. This is consistent with the current situation for the 18 resident zone communities where no boundaries are delineated.

### **Alternatives considered but rejected from further analysis:**

NPS considered two additional alternatives. The first was a modification of Alternative B (the preferred alternative) that recommended that community boundaries be delineated according to the 1990 Alaska Native Village Statistical Area (ANVSA) boundaries. In two cases the ANVSA boundaries continued to correspond with census designated places (CDP); at Tanacross and Tetlin. However, for Dot Lake and Northway, ANVSA boundaries delineated only a portion of the communities population.

At Dot Lake, the ANVSA consists of the majority of the residents of the community and is primarily composed of Alaska Natives. There is a physical separation between the Native Village of Dot Lake and the "highway community" of Dot Lake of about one mile. The residents of Dot Lake that reside along the highway are primarily employed in service industry related fields, they are not Native Alaskans and their use of subsistence resources is not well documented. In Northway, three CDP boundaries are defined by the Bureau of Census: Northway Village (ANVSA), Northway Junction and Northway. All three of the CDPs that define Northway are composed primarily of Upper Tanana Athabaskan Indians.

Consideration was given to employing the ANVSA boundaries to define the communities but was later rejected. NPS felt that dividing the communities in any fashion would lead to unnecessary tension among residents. Furthermore, the decision to add the communities to the resident zone is not dependent on partitioning any community in order for it to meet the test for eligibility.

The second alternative considered, but rejected recommended the designation of the entire upper Tanana area as a resident zone. Although the alternative of adding an area or region to the resident zone may be justified in some areas of the State, NPS does not, in this case, consider this alternative viable in a road connected, non-homogeneous area such as the Copper River and Upper Tanana region. This alternative was rejected because of the vast areas along the Alaska Highway and the Tok Cut-off that have been subject to significant development and consequent increased population numbers in the past. The potential for similar development in the future and an increase of individuals and households that lack a customary and traditional pattern of use of local resources is great.

When the Alaska highway was built in the 1940s and in the 1970s when the Trans-Alaska oil pipeline was under construction a considerable number of people remained in the Copper River/Upper Tanana region as these projects were completed. Highway access to Anchorage and Fairbanks make this area appealing to people looking to relocate to a more rural setting but still retain access to the city.

In addition both federal and state land disposals could potentially give rise to new settlements or developments. There are two places in the Copper River/Upper Tanana region where this has already occurred: 1) Slana Homestead, a 1983 federal land disposal along the Nabesna Road, and 2) Dry Creek, a circa 1974 state land disposal northeast of Dot Lake.

Given the past history of settlement in this region and the potential for future growth, NPS felt it was prudent to more narrowly define any new communities that were added to the resident zone. Boundaries identifying the "significant concentration" of subsistence users may preclude frequent re-evaluation of the communities subsistence uses of park lands should populations of non-local residents in the region substantially increase.

## ENVIRONMENTAL ANALYSIS

**Alternative A:** (No Action) Retain the existing resident zone communities and take no action on the SRC recommendation to add Northway, Tetlin, Tanacross and Dot Lake as resident zone communities.

**Impacts related to Access:** Any person who lives in a resident zone or has a 13.44 permit may access the park with an ORV, motorboat or snowmachine. Currently, there are 18 resident zone communities and about 25 individuals or households who have been issued 13.44 permits in the Upper Tanana area. Harvest records indicate that only a small percentage of hunters use ORVs to access hunting areas. Hunting by highway vehicle, boat and snowmachine are most common.

There are additional individuals and families, who do not live in a resident zone, who would qualify for 13.44 permits. Although additional permittees and increased growth in resident zone communities may result in increased use of the park, the means of access would most likely continue to be primarily by highway vehicles confined to the road system.

ORVs are potentially the most damaging form of transportation to resources. The park currently has a monitoring and mitigation program in place for ORV trails that are most heavily used. The Superintendent has the authority to close trails when conditions warrant. This authority has been used in past years when increased rainfall and high

runoff made conditions unsuitable for continued use of well worn trails by subsistence users. No major impacts are expected.

**Impacts on Cultural Resources:** Over the short term, no change in impacts are expected as visitation, by subsistence users, and use levels (harvest and related activities) are expected to remain basically the same. Over the long term, impacts to archeological resources are expected to be minor from a slight increase in subsistence use activities. The source of the impact would likely be increased foot traffic in heavily hunted areas. The NPS would continue to carry on a cultural resources inventory and monitoring program that would aid in identifying and preventing or mitigating impacts to cultural resources. No major impacts are expected.

**Impacts on Fisheries Resources:** Management of all fishing (commercial, sport, subsistence and personal use) in navigable waters currently rests with the State. However, in December of 1998 this could change with federal assumption of subsistence fishing in federal areas in Alaska. Regardless of the management regime in place, existing patterns and levels of fishing would not noticeably change as a result of no action.

**Impacts on Park Management:** This alternative, has the greatest potential to increase the administrative burden on park managers. As described under 36 CFR §13.44 any rural resident whose primary, permanent home is outside the boundaries of a resident zone of a national park may apply to the appropriate Superintendent for a subsistence eligibility permit authorizing that person to subsistence hunt in the park. This regulation places an administrative burden on park management and an individual burden of proof on the subsistence user.

A greater number of permit applicants is expected if resident zone status is denied. An increased number of applicants will likely be the result of the increased awareness, by the residents of the local area, of the specific provisions and limitations of the NPS and Federal Subsistence eligibility process and the lack of choice because the communities failed to gain status as a resident zone. Hunters may choose to apply for permits given no other avenue to pursue to hunt in the park, even though they may find the process offensive. Park staff would be required to develop a permitting program potentially evaluating as many as 587 (based on 1990 census) applicants for individual permits. An estimated 135 (23%) individuals would be denied permits leaving more than 400 permits to be issued and administered. The issuance, tracking and maintenance of such a large number of permits is expected to require up to 50% of a staff persons time. A significant increase in the cost associated with each permit would result. Impacts to park management would be large.

**Impacts to Socio-Economic Resources:** The residents of Northway, Dot Lake, Tetlin and Tanacross have expressed a desire to be identified as one cultural group of people in terms of subsistence and access to subsistence resources. An individual permit system would work contrary to this purpose. Movement between households and, to some degree, between villages in the region is a common practice as kin are scattered among the regions villages. Allowing some communities access to park resources while excluding others who are similarly situated may cause friction among families spread among Upper Tanana and Copper River basin villages.

The 13.44 permit process is necessarily a very invasive one and entirely foreign to the Athabaskan people of this area. Many people are not willing to submit themselves to such a process for a variety of personal and cultural reasons. Such a management regime may be culturally inappropriate in this setting. However, if denied resident zone status people will be left with no choice but to apply for a permit or hunt illegally. Impacts to the socio-cultural systems in the community may be major.

**Impacts on Subsistence Resources:** There are no anticipated impacts on wildlife and habitat as a result of this alternative. An ANILCA Section 810 analysis evaluating the effects of alternatives considered on subsistence users identifies no significant impacts (Appendix A).

**Impacts on Threatened and Endangered Species:** Informal Section 7 consultation under the 1973 Endangered Species Act has been conducted with the U.S. Fish and Wildlife Service. NPS determined that this alternative is not likely to adversely affect federally listed threatened or endangered species and the US Fish and Wildlife Service concurred. The NPS will monitor access, especially river access, to assess potential impacts to nesting raptors.

**Impacts on Visitor and Recreational Uses: Non-hunting Uses:** Data supplied by the park Incidental Business Permittees (IBP) who served the northern portion of the park during the years of 1994-96 indicate that 35% of their clientele utilized the northern portion of the Wrangell Mountains during the subsistence hunting season. Of the 35%, most are associated with hunting activities. Sixty-five percent of park IBP clients utilize the park/preserve before or after the hunting season. Impacts to non-hunters as a result of subsistence hunting would be most evident in the park where only subsistence hunting is allowed. In the preserve, where both sport and subsistence hunting are allowed, impacts to non-hunting recreational users would be indistinguishable between sport and subsistence hunters. Because most clients use the park before or after the hunting season and the majority of the other clientele engage in activities associated with hunting, the impacts to non-hunting recreational uses would be negligible.

**Hunting Uses:** The number of new subsistence users is expected to be few given that the park is not the only hunting area important to Upper Tanana villages and changing species migration patterns from year to year often provide for better hunting opportunities outside the park. Subsistence users generally hunt as close to home as practical. Impacts to sport hunters would only arise if the park, in meeting their mandates to maintain natural and healthy fish and wildlife populations, had to restrict sport hunting to provide for a subsistence priority. Restrictions on sport hunting have occurred in the past. Increased competition for subsistence resources may occur if wildlife populations decline. However, since the number of new subsistence users is expected to be few there should be little impact on competition.

**Impacts on Vegetative Resources:** The taking of timber and plant materials is regulated under 36 CFR 36§ 13.49. Applications for the harvest of timber for house logs must be based on the users proximity to park/preserve timber resources and the availability of non-NPS timber resources. For communities who are currently not part of the resident zone, the closest lies at least 70 miles from the park. There are both state and private timber resources within close proximity to each of these communities. It is unlikely that there will be a need for these communities to utilize timber in the park nor is it likely to be authorized. This alternative will have no impact on vegetative resources.

**Impacts on Wilderness Resources:** The primary impact to wilderness resources and users is transportation and access. Access to subsistence resources, including access into wilderness, is provided for in section 811 of ANILCA. See the section on impacts related to access.

**Impacts on Wildlife Resources:** There is the potential for some increase in the number of subsistence users in the park through expanded customary and traditional use determinations or by issuance of additional 13.44 permits. However, additional eligible subsistence users does not necessarily equate to additional harvest of resources. NPS is mandated to manage for "natural and healthy" populations of fish and wildlife in parks. Regardless of how resources are allocated, to subsistence or sport users, all use will be restricted if resources cannot be managed to meet the NPS mandate. There will be minimal effect on wildlife resources.

**Alternative B: (Proposed Action) Designate Northway, Tetlin, Tanacross and Dot Lake as resident zone communities, with defined boundaries, for the purpose of utilizing subsistence resources within Wrangell-St. Elias National Park.**

**Impacts related to Access:** There is potential for increased access related impacts because residents of all four communities would be eligible to utilize ORVs in the park. However, harvest records indicate that highway vehicles and motorboats are the primary mode of transportation used in the harvest of subsistence resources by these villages. ORVs (including ATVs) are used by some individuals, but their use is limited to a small percentage of households. Access related impacts are expected to be minimal.

**Impacts on Cultural Resources:** Same as Alternative A.

**Impacts on Fisheries Resources:** Same as alternative A.

**Impacts on Park Management:** This alternative would have the least impact on park management. Establishing these four resident zone communities would substantially reduce the number of potential 13.44 permits that would need to be issued and maintained. The communities will be added to the resident zone with defined boundaries which will provide a baseline from which to measure change over time in the concentration of subsistence users within the community. Defining a community boundary at this point will make that process much easier in the future. Impacts on park management will not be significant.

**Impacts on Socio-Economic Resources:** Under this alternative, residents of these communities would not be required to apply for a 13.44 permit for hunting in the park; a process that is viewed by many as violating social customs and norms of the Athabaskan people. The residents of the four communities have expressed a desire to be identified as one cultural group of people in terms of subsistence and access to subsistence resources. This alternative would be consistent with their desire for recognition of hunting rights in the park, would be an additional means to help maintain cultural unity and cooperative social institutions existing in this region.

Impacts to the regions residents may occur as a result of the need for a definition of a community boundary. The concept of drawing a line around the community in any fashion is controversial. Some people will be encircled by the line and others will fall outside. A person who has established a permanent residence within the boundary automatically is eligible to hunt in the park, regardless of the term of residency. Whereas, if you have a long standing (permanent residency) outside of the boundary you must apply for a 36 CFR §13.44 determination. Impacts are expected to be moderate.

**Impacts on Subsistence Resources:** An increase in the number of subsistence users is probably inevitable as a function of natural growth in the population; but the increase is expected to be minimal. Unless a major development is planned for this area population increases are expected to average only 9%, or 53 people per decade (based on 1980-1990 census estimates). Impacts resulting from a significant change in the population of subsistence users could result in limiting sport hunting opportunities if wildlife populations are unable to sustain harvests from both user groups. Furthermore, a significant increase in the number of subsistence users coupled with a declining resource population may result in having to allocate resources among eligible subsistence users.

Increased numbers of users resulting from factors other than natural population increases may trigger a re-evaluation of existing resident zone communities. Resident zones may be deleted when it can be shown that a significant concentration of subsistence users no longer exist in the community.

Protections provided under Sections 804 and 815 of ANILCA would be implemented in the event of a shortage of resources; which includes the authority to eliminate harvests altogether. An ANILCA section 810 analysis has been prepared. No anticipated impacts.

**Impacts on Threatened and Endangered Species:** Same as Alternative A.

**Impacts on Visitor and Recreational Uses:** Same as Alternative A.

**Impacts on Vegetative Resources:** Same as Alternative A.

**Impacts on Wilderness Resources:** Same as Alternative A.

**Impacts on Wildlife Resources:** Same as Alternative A.

**Alternative C:** Designate Northway, Tetlin, Tanacross and Dot Lake as resident zone communities, without the requirement to establish a community boundary.

**Impacts related to Access:** Same as alternative B

**Impacts on Cultural Resources:** Same as Alternative A.

**Impacts on Fisheries Resources:** Same as Alternative A.

**Impacts on Park Management:** The administrative workload associated with issuing permits would be reduced under this alternative. Community eligibility would be defined, but community boundaries would not be, potentially leading to confusion over who is eligible to hunt based on their physical location of residence. Some impacts expected.

**Impacts on Socio-Economic Resources:** Under this alternative the communities would be the least impacted in the short term. Under this alternative, residents of these communities would not be required to apply for a 13.44 permit for hunting in the park; a process that is viewed by many as violating social customs and norms of the Athabaskan people. The residents of the four communities have expressed a desire to be identified as one cultural group of people in terms of subsistence and access to subsistence resources. This alternative would be consistent with their desire for recognition of hunting rights in the park, would be an additional means to help maintain cultural unity and cooperative social institutions existing in this region.

Over time, this alternative could have an impact on these communities if the SRC or park managers felt that the composition of the community or its residents harvest practices had changed to the extent that a re-evaluation of their resident zone status was warranted. The evaluation would require additional study of community practices and family associations and may require that a definition of the community be articulated if any residents are to retain their resident zone status. Therefore, the community boundary definition process may need to be implemented in the future, if conditions warrant, with all its associated impacts (see alternative B).

**Impacts on Subsistence Resources:** Same as Alternative B.

**Impacts on Threatened and Endangered Species:** Same as Alternative A.

**Impacts on Visitor and Recreational Uses:** Same as Alternative A.

**Impacts on Vegetative Resources:** Same of Alternative A.

**Impacts on Wilderness Resources:** Same of Alternative A.

**Impacts on Wildlife Resources:** Same of Alternative A.

## Impacts of Alternatives

<b>IMPACT TOPICS</b>	<b><u>ALTERNATIVE A</u></b> No action. Retain existing resident zone communities.	<b><u>ALTERNATIVE B</u></b> Add Northway, Tetlin, Tanacross and Dot Lake as Resident Zones communities with defined community boundaries.	<b><u>ALTERNATIVE C</u></b> Add Northway, Tetlin, Tanacross and Dot Lake as Resident Zones communities without defined community boundaries
<b>ACCESS</b>	No major impacts expected.	Impacts are expected to be minimal.	Impacts are expected to be minimal.
<b>CULTURAL RESOURCES</b>	<b>Short term:</b> No effect <b>Long-term:</b> Potential minor impact.	<b>Short term:</b> No effect <b>Long-term:</b> Potential minor impact.	<b>Short term:</b> No effect <b>Long-term:</b> Potential minor impact.
<b>FISHERIES</b>	Negligable impact. Fishing is currently open in the park under State and Federal law.	Same as alternative A.	Same as alternative A.
<b>PARK MANAGEMENT</b>	Major Impacts. Administrative workload may increase substantially due to an increased demand for permits. There would also be continued need to issue permits and associated administrative tasks. The cost associated with administering a larger number of permits will increase as time goes on.	Some impacts expected. Reduced level of administrative workload for issuing 13.44 subsistence use permits. Community eligibility is defined, thus less confusion about who can hunt in the park. Greater acceptance of management structure may result in a higher rate of compliance with regulations and consequently less requirement for enforcement actions.	Some impacts expected. Reduced level of administrative workload for issuing permits. Community eligibility is defined, however community boundaries are not, thus some confusion on who is eligible based on physical place of residency. Such ambiguity may lead to hunting violations or an increased need to evaluate the eligibility of households on the edge of the village.
<b>SOCIO-ECONOMIC</b>	Major impacts. Retaining a culturally inappropriate permit system would continue to cause friction within the community and indirectly lead to some loss of cultural identity as cooperative social institutions breakdown.	Moderate impacts expected. Positive effect on cooperative social institutions by sustaining cultural identity. Eliminates culturally inappropriate permit system. However, the need to draw a boundary around the community sets up conflicts among those who fall inside the line and those who do not. Friction among community members may result when confronted with the need to reach consensus on a boundary possibly fracturing social ties within the community.	Some impacts expected in the future. Some positive effects may be realized as in Alternative B, but stress to cultural affinity in outlying areas and within cooperative social institutions may result if changes in the community composition lead to a re-evaluation and potential deletion of the resident zone for that community in the future.

<b>SUBSISTENCE RESOURCES</b>	No anticipated impact. See ANICLA Section 810 evaluation in Appendix A.	No anticipated impact. Protections provided under Sections 804 and 815 of ANICLA would be implemented in time of shortage or to eliminate harvest. An ANILCA section 810 analysis has been prepared (Appendix A).	No anticipated impact. Protections provided under Sections 804 and 815 of ANICLA would be implemented in time of shortage or to eliminate harvest. An ANILCA section 810 analysis has been prepared (Appendix A).
<b>THREATENED and ENDANGERED SPECIES</b>	No anticipated impact. NPS determined that this alternative is not likely to adversely affect federally listed threatened or endangered species and the US Fish and Wildlife Service concurred.	Same as alternative A.	Same as alternative A.
<b>RECREATION/ VISITOR USE</b>	Negligible impact on non-hunting recreational visitors.  Potential effect on sport hunters due to a potential increase in competition for consumptive resources, thus sport hunting seasons may be restricted.	Same as alternative A.	Same as alternative A.
<b>VEGETATION</b>	No impact.	No impact.	No impact.
<b>WILDERNESS</b>	No impact.	No impact.	No impact.
<b>WILDLIFE AND HABITAT</b>	Minimal impact. Federal managers have tools available to protect wildlife populations and their habitat from adverse impacts.	Same as alternative A.	Same as alternative A.



## References

- Alaska Department of Fish and Game. 1998. Community Profile Database. Microcomputer database.
- Alaska Department of Fish and Game. 1997. Harvest and Sealing Record Database. Microcomputer database.
- Alaska Department of Labor. 1991. Alaska Population Overview: 1990 Census and Estimates. 144 pgs.
- Case, Martha. 1986. Wild Resource Use in Northway. Division of Subsistence, Alaska Department of Fish and Game, Juneau. Technical Report No 132.
- Goldschmidt, Walter. 1948. Delimitation and Possessory Rights of the Villages of Tetlin, Tanacross, and Northway, Interior Alaska. Report submitted to the Commissioner of Indian Affairs, US Office of Indian Affairs, Washington, DC.
- Guedon, Marie-Francoise. 1974. People of Tetlin, Why are You Singing? National Museum of Man, Mercury Series, Ottawa, Ethnology Division Paper No. 9.
- Halpin, Libby. 1987. Living Off the Land: Contemporary Subsistence Patterns in Tetlin, Alaska. Division of Subsistence, Alaska Department of Fish and Game, Juneau. Technical Paper No. 149.
- Haynes, Terry L, Martha Case, James A. Fall, Libby Halpin, and Michelle Robert. 1984. The Use of Copper River Salmon and Other Wild Resources by Upper Tanana Communities, 1983-84. Division of Subsistence, Alaska Department of Fish and Game, Juneau, Technical Paper No. 115.
- Isaac, Andrew. 1988. Andrew Isaac. Central Alaska Curriculum Consortium, Fairbanks, AK.
- Marcotte, James R. 1991. Wild Fish and Game Harvest and Use by Residents of Five Upper Tanana Communities, Alaska, 1987-88. Technical Report No. 168. Alaska Department of Fish and Game, Division of Subsistence, Juneau, AK.
- Martin, Gayle. 1983. Use of Natural Resources by the Residents of Dot Lake, Alaska. Division of Subsistence, Alaska Department of Fish and Game, Juneau, Technical Paper No. 19.
- McKenna, Robert. 1959. The Upper Tanana Indians. Yale University Publications in Anthropology No 55, New Haven Connecticut.
- McKenna, Robert. 1969. Athabaskan Groups of Central Alaska at the Time of White Contact. Ethnohistory 4(16):335-43.
- McMillan, Patricia O. and Sal V. Cuccarese. 1988. Alaska Over the Horizon Backscatter Radar System: Characteristics of Contemporary Subsistence Use Patterns in the Copper River Basin and Upper Tanana Area. Arctic Environmental Information and Data Center, Anchorage.
- Northway, Walter. 1987. Walter Northway. Alaska Native Language Center, University of Alaska, Fairbanks.

Reckord, Holly. 1983. That's the Way We Live, Subsistence in the Wrangell-St. Elias National Park and Preserve. University of Alaska, Cooperative Park Studies Unit, Occasional Paper No. 34.

Reckord, Holly. 1983. Where Raven Stood, Cultural Resources of the Ahtna Region. University of Alaska, Cooperative Park Studies Unit, Occasional Paper No. 35.

Vitt, Raymond B. 1971. Hunting Practices of the Upper Tanana Athabaskans. M.A. Thesis. Anthropology Department, University of Alaska, Fairbanks.

### **Consultation and Coordination**

Don Callaway, Anthropologist, Alaska Support Office

Joan Darnell, Team Leader for Environmental Resources, Alaska Support Office

Bruce Greenwood, Environmental Protection Specialist, Alaska Support Office

Anne Worthington, Archeologist, Wrangell-St. Elias National Park

Greg Balogh, USFWS, Endangered Species Biologist

Danny Rosenkrans, Acting Chief of Resources Management, Wrangell-St. Elias National Park and Preserve

Geoff Bleakley, Historian, Wrangell-St. Elias National Park and Preserve

### **Preparers**

Russell Galipeau, Chief of Resources Management, Yosemite National Park (formerly Chief of Resources, WRST)

Janis Meldrum, Subsistence Resource Specialist, Alaska Support Office

## **APPENDIX X**

### **ANILCA SECTION 810 EVALUATION AND FINDING**

## **Appendix A**

### **ANILCA Section 810(a) Summary Evaluation and Findings**

#### **I. INTRODUCTION**

This section was prepared to comply with Title VIII, Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). It summarizes the evaluations of potential restrictions to subsistence activities which could result from the addition of Tetlin, Tanacross, Northway and Dot Lake to the resident zone for Wrangell-St. Elias National Park.

#### **II. THE EVALUATION PROCESS**

Section 810(a) of ANILCA states:

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

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

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

(3) determines that (A) such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands, (B) the proposed activity 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 area set aside by Congress as Wrangell-St. Elias National Park & Preserve encompasses 13.2 million acres. ANILCA (Section 201(9)) mandates that the area be managed for the following purposes, among others:

"To maintain unimpaired the scenic beauty and quality of high mountain peaks, foothills, glacial systems, lakes, and streams... in their natural state; to protect habitat for, and populations of, fish and wildlife...; and to provide continued opportunities, including reasonable access for... wilderness recreational activities."

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

### **III. PROPOSED ACTION ON FEDERAL LANDS**

This document identifies and evaluates three alternatives including the proposed action. These alternatives are:

Alternative A: This alternative represents the current situation. The existing 18 resident zone communities for WRST would be retained. The communities included in the resident zone as defined by 36 CFR 13.73(a) are: Chisana, Chistochina, Chitina, Copper Center, Gakona, Gakona Junction, Glennallen, Gulkana, Kenny Lake, Lower Tonsina, McCarthy, Mentasta Lake, Nabesna, Slana, Tazlina, Tok, Tonsina, and Yakutat. This alternative would provide subsistence eligibility to approximately 3700 of the region's residents without requiring them to apply for a subsistence use eligibility permit (authorized under 36 CFR 13.44). The remaining approximately 587 (according to the 1990 census) residents of the Upper Tanana region would have to individually establish eligibility by applying for a subsistence use eligibility permit from the NPS.

Alternative B: This alternative represents the NPS preferred alternative. The four communities named would be added to the list of 18 previously established resident zone communities. As resident zone communities, all residents of these communities would be eligible to harvest subsistence resources in Wrangell-St. Elias National Park, in accordance with Federal Subsistence Management regulations. Each of the four communities would have up to one year from the date of publication of a final rule designating these communities as resident zones to recommend community boundaries to the Superintendent. If any of the newly established resident zone communities fail to establish acceptable boundaries within one year, the Superintendent will establish a boundary for them based on the 1990 Census Designated Places (CDP) boundaries established by the US Bureau of Census. The CDP boundaries for these communities would include: 1) the Dot Lake CDP, including the Native Village of Dot Lake and Dot Lake, 2) Tetlin CDP, 3) Tanacross CDP, and 4) Northway, Northway Village and Northway Junction CDPs.

Any individual who lives outside the boundary of a community who feels they have a customary and traditional use of park resources may apply to the Superintendent of Wrangell-St. Elias National Park and Preserve for a subsistence use eligibility permit, authorized under 36 CFR § 13.44. Thus, resident zone delineation does not preclude individuals or families who live outside the boundary of the resident zone from becoming qualified to hunt for subsistence purposes in the park due, necessarily, to their location of permanent residence.

Alternative C: This alternative is similar to Alternative B, in that the four communities of Tetlin, Tanacross, Northway and Dot Late would be added to the resident zone for Wrangell-St. Elias National Park. However, community boundaries would not be delineated. An individuals community would be based on which community an individual indicates they are affiliated. This is consistent with the current situation for the 18 resident zone communities where no boundaries are delineated.

### **IV. AFFECTED ENVIRONMENT**

In 1978 most of the area now encompassed by Wrangell-St. Elias National Park and Preserve was declared a National Monument by presidential proclamation. The passage of the ANILCA in December, 1980 redesignated the National Monument to a National Park and Preserve and expanded its boundary to the present size. This conservation system unit, the largest in the National Park Service, contains 13.2 million acres, of which approximately one million acres are privately owned.

Wrangell-St. Elias National Park and Preserve is located in southcentral and southeastern Alaska and is an integral part of the greater Copper River ecosystem. The landscape is dominated by the eastern Alaska, Wrangell, St. Elias and Chugach Mountain ranges. Volcanic action, earthquakes and ice have shaped the landscape over the past millennia. The complex topography resulting from these actions has profoundly influenced habitat diversity, distribution of species, biotic processes, and climate.

The vegetation is influenced by both interior and coastal climatic conditions which help to create a diverse vegetative mosaic. The lowlands on the northern and western slopes of the Wrangell Mountains are covered with extensive black spruce, balsam poplar and aspen stands. These extend southward to the Chitina River Valley. The Bremner River system valleys and the forested portions of the Malaspina Forelands are carpeted with alder thickets and stands of Mountain Hemlock and Sitka Spruce characteristic of the coastal environment.

The diversity of vegetation produces equally diverse wildlife populations. Wildlife species identified as significant contributors to Park values include brown/grizzly bears, black bear, moose, caribou, wolf, trumpeter swans, bald and golden eagles, Dall sheep and mountain goats.

Wrangell-St. Elias National Park and Preserve contains within its boundaries lands and resources that have provided for the subsistence use by local residents since prehistoric times. Native groups utilized the fish, wildlife and plant resources as the basis of their livelihood before the arrival of Europeans and continue to make use of such resources.

Europeans entered this region during the 1700's with the attempt by the Russians to foster a local fur trade industry. It was not until the late 1800's and early 1900's that large numbers of non-natives moved into and became a permanent part of the population of the general region. Significant changes in the economy, technology, and socio-cultural environment accompanied these non-natives, but they largely incorporated the use of wild game, fish and plant life into their economic strategy.

In a general order of importance to local subsistence users the following resources are utilized: salmon, furbearers, moose, caribou, Dall sheep, mountain goats, waterfowl, hare and bear. Persons living within the park also rely on timber for firewood and building materials. Other resources such as berries, ptarmigan, spruce grouse, trout, etc. are also taken from park lands on a small scale. There are variations in this list of priority resources in accordance with differences in localities and lifestyles.

Spatially, the areas of greatest use are the lowlands and foothills of the park. The Wrangell-St. Elias area is difficult for many residents to utilize. The Copper River, a swift, turbulent, and silt laden stream, separates the park land from such communities as Glennallen, Gulkana, and Copper Center. Extensive lowland bogs, tussock covered tundra, and smaller waterways add to the difficulty of summer travel. However, access may be obtained from points along the Chitina to McCarthy, Strelina to Kotsina River, and the Slana to Nabesna Road corridors. Winter conditions solidify the local waterways and smooth over the rough surface with snow allowing for easier access into park lands.

Access to subsistence resources, including access into wilderness, is provided for in section 811 of ANILCA. Authorized means of access for subsistence uses are snow machines, motorboats, off-road vehicles, dog teams, and saddle and pack animals. These uses are governed by 36 CFR §13.46. The use of off road vehicles including all-terrain vehicles, for subsistence purposes may be permitted on established routes, where their use was customary and traditional, under a permit system established by the superintendent. The superintendent can close routes, designate routes, or impose restrictions on the season of use, type and size of ORVs, vehicle weight, or the number of vehicles or trips. The use of aircraft as a means of access to areas within designated park for purposes of taking fish and wildlife for subsistence purposes is prohibited.

## V. SUBSISTENCE USES AND NEEDS EVALUATION

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

The evaluation criteria are:

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

1) The potential to reduce populations:

### Alternative A: The Status Quo alternative (No Action)

Current levels of use would essentially remain the same as they are now. Harvest levels may actually be lower than in Alternative B and C because the existing regulations may deter some individuals from pursuing customary and traditional harvest patterns. Long term use levels may be lower than in Alternative B and C if newer residents to the region are denied individual permits. Overall, this alternative will not result in a significant reduction in the populations of significant resources, a redistribution of those resources, or a loss of habitat.

### Alternative B: The Proposed Action

Adoption of the proposal will increase the number of eligible subsistence users but the actual number of new hunters will be minimal. People from the Upper Tanana region generally prefer to hunt most species close to home and would expand their range only to hunt species not locally available or when closures restrict local hunting opportunities. Lands within the Tetlin National Wildlife Refuge as well as the Tetlin Reserve are important hunting areas for Northway, Tetlin and Tanacross, particularly. Use of the park may be restricted to one or more key species that are of importance based on the relative abundance and distribution of species.

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

Over the long term, if other factors are not operative, human population growth within the region could potentially result in pressures on wildlife that could produce noticeable changes. To some extent, this stress could occur even under the current regulations, without implementation of the proposal. Harvest of subsistence resources could be increased under this proposal, but existing federal laws and regulations could be used to deal with this possibility. When fish and wildlife populations are too low to meet all subsistence demands, Section 804 of ANILCA provides for a priority determination based on three factors: 1) a customary and direct dependence on the population as the mainstay of livelihood; 2) local residency; and 3) the availability of alternative resources. Furthermore, Section 815 of ANILCA prohibits any subsistence uses of fish and wildlife within a national park to be inconsistent with the conservation of natural and healthy populations. The Subsistence Resource Commission for Wrangell-St. Elias National Park in cooperation with the Park Superintendent have implemented this process for the Mentasta Caribou herd in 1996, 1997 and 1998. The proposed action will not result in a significant reduction in the populations of subsistence resources, a redistribution of those resources, or a loss of habitat.

*Alternative C: Designate Northway, Tetlin, Tanacross and Dot Lake as Resident Zone communities without delineating a boundary*

The impacts discussed under Alternative C apply to this alternative as well. Over the short term, levels of use would be similar to those described under the proposal action. Long term levels of use could be increased if factors other than natural population increases come into play. If an influx of new residents occurs, the pool of eligible subsistence users will increase. Without delineation of a boundary around the resident zones, all residents affiliated with the community would be eligible to hunt in the park. Additional subsistence users may result in the reduction of sport hunting seasons in the preserve if resource populations cannot sustain both a subsistence and sport harvest. Protections afforded by law (described in Alternative B) will not allow harvests inconsistent with natural and healthy populations and therefore, the alternative will not result in a significant reduction in the populations of subsistence resources, a redistribution of those resources, or a loss of habitat.

2) Restriction of Access:

*Alternative A: The Status Quo Alternative (No action)*

The status quo alternative would leave in place the current listing of 18 resident zone communities as contained in 36 CFR 13.73. Other individuals would be required to establish eligibility and obtain individual permits or be denied access to the resources.

Current regulations provide the eligibility for subsistence use by 18 resident zone communities while excluding four communities in the Upper Tanana region. The current regulation is contrary to customary and traditional user and comprises a potentially significant restriction to access by customary and traditional users, especially if NPS denies 13.44 permits to individuals in these communities.

*Alternative B: The Proposed Action*

Access to Wrangell-St. Elias National Park would be legally enhanced for those residents currently living outside the listed resident zone communities and the administrative burden of having to acquire individual permits would be lifted. Currently, individuals who live outside a designated resident zone must establish individual eligibility for hunting in the park. Adopting the proposal would bring the current resident zone system into accordance with customary and traditional practices of the region's



residents. The proposal would provide the region's residents with the highest degree of flexibility in harvesting key resources when and where they are available, a characteristic which was a hallmark of the traditional system. The proposal would not result in restriction to access.

*Alternative C: Designate Northway, Tetlin, Tanacross and Dot Lake as Resident Zone communities without delineating a boundary.*

Unless there is substantial growth in the region's population, this alternative would be nearly indistinguishable from the proposed alternative. There would be very little restriction to access.

3) Increase in Competition:

*Alternative A: The Status Quo Alternative (No action)*

This action establishes the smallest pool of eligible users and from that point of view could be expected to result in the smallest overall increases in competition. In the short term increased competition would not be a problem. Over the long term, increased competition may be expected due to population increases and, perhaps, the issuance of additional 13.44 permits. The increased use over the long term could become significant even if eligibility were restricted to the existing resident zone communities and 13.44 permit holders. However, existing federal law in the form of ANILCA Sections 804 and 815 are intended to provide a mechanism to deal with times of resource shortages or, where necessary, to restrict the harvest. With the built-in safeguards of federal law, this action would not result in a significant increase in competition.

*Alternative B: The Proposed Action*

In the short term, the proposed action likely would not result in any noticeable increase in competition because use levels are not expected to increase substantially. Over the long term population growth within the region has the potential to significantly increase competition for certain resources such as moose, caribou, sheep and fish in popular hunting areas.

Existing federal law in the form of ANILCA Sections 804 and 815 are intended to provide a mechanism to deal with times of resource shortages or, where necessary, to restrict the harvest. With the built-in safeguards of federal law, this action would not result in a significant increase in competition.

Furthermore, if population increases are the result of an influx of non-local residents, the composition of the new resident zone communities could be re-evaluated to determine if they contain a significant concentration of subsistence users. Deletion of a resident zone is authorized under 36 CFR 13.43.

*Alternative C: Designate Northway, Tetlin, Tanacross and Dot Lake as Resident Zone communities without delineating a boundary.*

This alternative provides the largest pool of eligible users. In the short term, this action would not result in noticeable increases in competition because use levels are not expected to increase substantially. Over the long term, population growth within the region has the potential to significantly increase competition for certain resources such as moose, caribou, sheep and fish in popular hunting areas. Without corrective measures it could be expected to result in a higher level of competition than either of the other two alternatives.

Existing federal law in the form of ANILCA Sections 804 and 815 are intended to provide a mechanism to deal with times of resource shortages or, where necessary, to restrict the harvest. With the built-in safeguards of federal law, this action would not result in a significant increase in competition.

If population increases are the result of an influx of non-local residents, the composition of the new resident zone communities could be re-evaluated to determine if they contain a significant concentration of subsistence users. Deletion of a resident zone is authorized under 36 CFR 13.43. However, because this alternative calls for the addition of four new resident zone communities without establishing community boundaries this process will be very difficult to administer.

## **VI. AVAILABILITY OF OTHER LANDS**

All other federal lands within the region are currently open to subsistence uses to the approximate level identified in the proposed action. As such there are no other lands available for implementation of the proposed action.

## **VII. ALTERNATIVES CONSIDERED**

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

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

## **VIII. FINDINGS**

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