Gates of the Arctic National Park and Preserve
Alaska

National Park Service
Department of the interior

# Gates of the Arctic National Park and Preserve

## FOUNDATION STATEMENT

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# Elements of a Foundation Statement

The Foundation Statement is a formal description of Gates of the Arctic National Park and Preserve's (park) core mission. It is a foundation to support planning and management of the park. The foundation is grounded in the park's legislation and from knowledge acquired since the park was originally established. It provides a shared understanding of what is most important about the park. This Foundation Statement describes the park's purpose, significance, fundamental resources and values, primary interpretive themes, and special mandates.

The legislation that created Gates of the Arctic National Park and Preserve guides the staff in understanding and documenting why Congress and the president created the park. The Foundation Statement includes the following elements:

- **Purpose Statement**
  The purpose statement identifies why Congress and the president established the park as a unit of the national park system. The purpose of the park is based on the enabling legislation.

- **Significance Statement**
  Guided by legislation and the knowledge acquired through management, research, and civic engagement, statements of significance define what is ***most important*** about the park's natural and cultural resources and values.

  The significance statements are used to guide planning and management decisions to ensure that the resources and values that Congress and the president wanted preserved are the first priority.

- **Fundamental Resources and Values**
  The National Park Service works to preserve those resources and values fundamental to maintaining the significance of Gates of the Arctic National Park and Preserve. Through identifying and understanding the resources and values that support each significance statement, managers and their staff gain a clearer understanding of what is truly most important about the park. That which is ***most important*** about the park could be jeopardized if these resources and values are degraded.

- **Primary Interpretive Themes**
  Primary interpretive themes describe the key stories or concepts that will help visitors understand and appreciate the purpose and significance of the park. The primary interpretive themes provide the foundation on which the park's educational and interpretive program is based.

- **Special Mandates**
  Special mandates are legal requirements and administrative commitments that apply to the park. These special mandates may include direction from Congress or formal agreements with other public or private entities that are consistent with NPS legal mandates and policies. The special mandates are identified to ensure their consideration in planning and decision making for Gates of the Arctic National Park and Preserve.

# Establishment of Alaska National Parks

The National Park Service Organic Act of 1916 states that units of the national park system are established to "conserve the scenery and the natural and historic objects and the wild life therein and to provide for enjoyment of the same in such manner and by such means as to leave them unimpaired for the enjoyment of future generations." This statement represents the most basic mission of Gates of the Arctic National Park and Preserve.

Most of the national parks in Alaska, including Gates of the Arctic National Park and Preserve, were established or expanded under the Alaska National Interest Lands Conservation Act (ANILCA), which was adopted on December 2, 1980. ANILCA's passage culminated more than 20 years of deliberation on federal land claims after Alaska statehood.

Prior to Alaska becoming a state in 1959, nearly all land was federal. The Alaska Statehood Act granted the state the right to select 104 million acres of federal land. Within a few years the state land selection process began to include lands traditionally used by Alaska Natives. This led to objections which eventually resulted in a freeze on further state land selections pending Congressional settlement of the Native claims.

In 1971 Native claims were resolved by passage of the Alaska Native Claims Settlement Act (ANCSA). This act, in addition to Native land claims, also provided for withdrawal of 80 million acres for possible designation as national parks, fish and wildlife refuges, national forests, and wild and scenic rivers. Gates of the Arctic National Park and Preserve is among those park areas first established in 1978 by Presidential Proclamation by President Carter when he withdrew over 100 million acres of federal land, including 56 million acres as national monuments.

ANILCA mandates the specific purposes for each park established. Congress also provided that ANILCA would allow some key activities necessary to perpetuate the rural Alaskan lifestyle, such as subsistence uses, traditional uses, access, cabins, and hunting and trapping. Providing for ANILCA's mandates and special uses makes management of Alaska parks unique within the national park system.

*We care for those special places in Alaska saved by the American people as a part of a national system of parks so that all may experience our heritage. We serve residents and visitors who seek inspiration, recreation and education, as well as those who come for traditional activities, subsistence and scientific study. We cooperate with local communities, tribes and others to protect the natural and cultural resources in these special places for this and future generations to experience and enjoy.*

Alaska Region Mission Statement (2004)

# Summary

## PURPOSE STATEMENT

The purpose of Gates of the Arctic National Park and Preserve is to preserve the vast, wild, undeveloped character and environmental integrity of Alaska's central Brooks Range and to provide opportunities for wilderness recreation and traditional subsistence uses.

## SIGNIFICANCE STATEMENTS

1. Gates of the Arctic National Park is acknowledged as the premier Wilderness park in the national park system, protecting 8.4 million acres of diverse arctic ecosystems.

2. Gates of the Arctic National Park and Preserve serves as the headwaters for six Wild Rivers that support natural systems and human activities across northern Alaska.

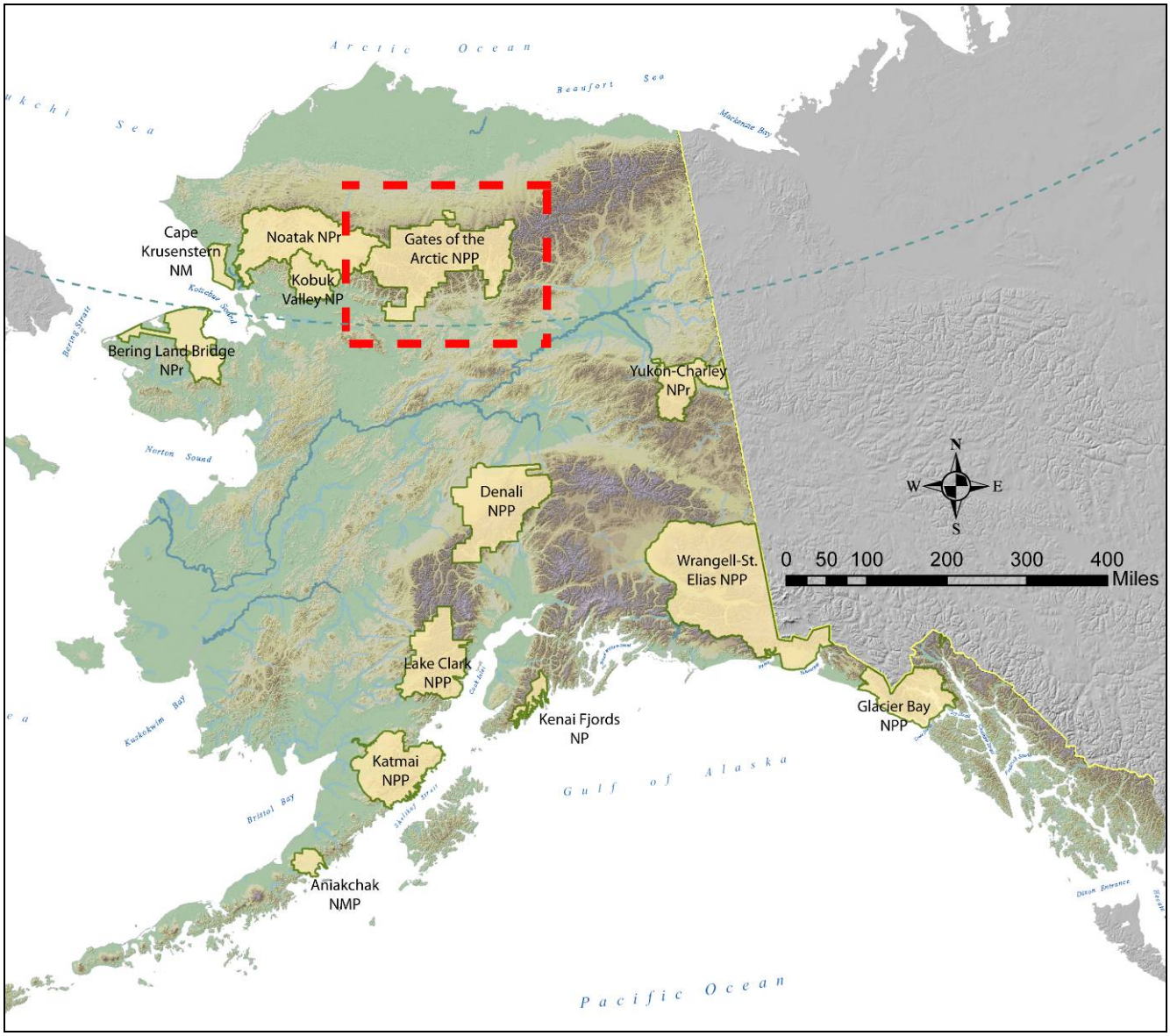
3. Gates of the Arctic National Park and Preserve protects a highly functioning arctic, mountain ecosystem in its entirety and provides habitat of world importance for naturally occurring plant and animal populations.

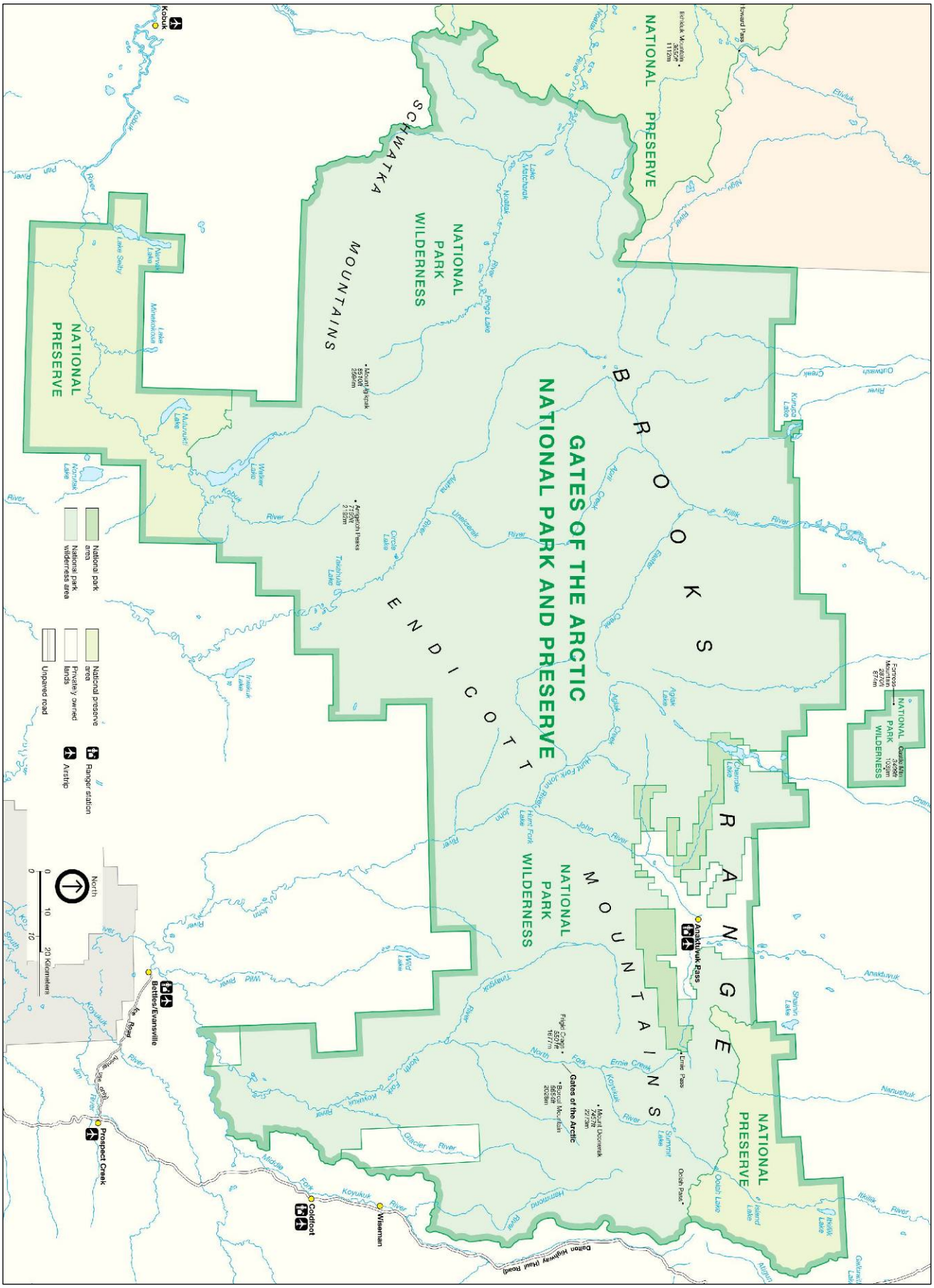
4. Gates of the Arctic National Park and Preserve manages the solitude and remoteness of a spacious arctic landscape, largely free from the mechanized world, with opportunities for challenging wilderness adventures that allow for self-discovery, renewal, and freedom.

5. Gates of the Arctic National Park and Preserve protects habitats and resources in consultation with local rural residents to provide subsistence opportunities on lands that have supported traditional cultures and local residents for 12,000 years.

6. Gates of the Arctic National Park and Preserve preserves and protects a 12,000-year record of human cultural adaptations to high latitude mountain environments and an unbroken tradition of living on the land.

# Location


Arctic Ocean
Beaufort Sea
Chukchi Sea
Mackenzie Bay
Cape Krusenstern NM
Noatak NPr
Gates of the Arctic NPP
Kobuk Valley NP
Kotzebue Sound
Bering Strait
Bering Land Bridge NPr
Yukon-Charley NPr
Norton Sound
Denali NPP
Wrangell-St. Elias NPP
N
W
E
S
0 50 100 200 300 400
Miles
Lake Clark NPP
Kuskokwim Bay
Kenai Fjords NP
Glacier Bay NPP
Katmai NPP
Gulf of Alaska
Bristol Bay
Shelikof Strait
Aniakchak NMP
Dixon Entrance
Pacific Ocean


GATES OF THE ARCTIC
NATIONAL PARK AND PRESERVE
BROOKS RANGE
ENDICOTT MOUNTAINS
SCHWATKA MOUNTAINS
NATIONAL PARK WILDERNESS
NATIONAL PRESERVE
Kobuk
Anaktuvuk Pass
Bettles/Evansville
Prospect Creek
Coldfoot
Wiseman
Gates of the Arctic
Dalton Highway (Haul Road)
National park area
National park wilderness area
National preserve area
Privately owned lands
Unpaved road
Ranger station
Airstrip
North
20 Kilometers

# Park Purpose

The purpose of Gates of the Arctic National Park and Preserve is to preserve the vast, wild, undeveloped character and environmental integrity of Alaska's central Brooks Range and to provide opportunities for wilderness recreation and traditional subsistence uses.

Specifically, section 201 of the Alaska National Interest Lands Conservation Act (ANILCA) states that the park shall be managed for the following purposes, among others:

- To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features;

- to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities;

- and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall's sheep, moose, wolves, and raptorial birds.

- Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of title VIII.

*Photo by Carl Johnson.*

# Wilderness

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park is acknowledged as the premier wilderness park in the national park system, protecting 8.4 million acres of diverse arctic ecosystems.

## FUNDAMENTAL RESOURCES AND VALUES

- **Designated Wilderness**
  The park protects over 7 million acres of designated Wilderness that embodies the values of the Wilderness Act.

- **Wilderness Character**
  The park protects the untrammeled, natural and undeveloped qualities of wilderness and opportunities for solitude. (The word *untrammeled* means the forces of nature operate unrestrained and unaltered.)

- **Diverse Arctic Ecosystems**
  The park protects intact, undisturbed arctic ecosystems.

- **Science in Wilderness**
  Scientific studies and monitoring provide guidance for managing wild resources and understanding global change.

- **Unique Geological Features**
  Geological processes resulting in mountains and alpine landforms, including two National Natural Landmarks, contribute to the wild nature and undeveloped character of the park.

- **Contiguous Wilderness**
  The park is the centerpiece of 21 million acres of designated wilderness in the Brooks Range.

*Photo by Carl Johnson*

## PRIMARY INTERPRETIVE THEME

Size and remoteness are critical components in the park's undeveloped character. Natural processes, not human actions, dominate the landscape.

# Wild Rivers

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park and Preserve serves as the headwaters for six designated Wild Rivers that support natural systems and human activities across northern Alaska.

## FUNDAMENTAL RESOURCES AND VALUES

- **Traditional and Historic Routes**
  The park's Wild Rivers preserve traditional and historic routes of trade and transportation throughout the central Brooks Range.

- **Recreational Opportunities**
  The park's six Wild Rivers create unparalleled scenic and recreational opportunities.

- **Populations of Fish and Wildlife**
  The park's free flowing Wild Rivers, without artificial barriers, support habitat which sustains natural populations of fish and wildlife.

- **Pristine Water**
  The park protects water quality through the management of its six designated Wild Rivers.

- **Geologic Processes**
  The park's Wild Rivers reveal a variety of geologic features and processes illustrating the natural history of the Brooks Range.

*Photo by Carl Johnson*

## PRIMARY INTERPRETIVE THEME

Gates of the Arctic National Park and Preserve serves as the headwaters for an unprecedented number of designated Wild Rivers supporting natural systems and human activities from the Yukon River to the Arctic Ocean.

# Wildlife

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park and Preserve protects a functioning arctic, mountain ecosystem in its entirety and provides habitat of world importance for naturally occurring plant and animal populations.

## FUNDAMENTAL RESOURCES AND VALUES

- **Habitats**
  The park protects the habitats for plants, fish, and wildlife, including significant lichen communities.

- **Caribou Migration Corridors**
  The park resources provides for the seasonal annual movements of three major caribou herds (Western Arctic, Teshekpuk, and Central Arctic).

- **Breeding Bird Habitat**
  The park provides breeding habitat a variety of species of migratory.

- **Wildlife Populations**
  The park provides habitat to support significant arctic wildlife predator/prey populations. The park preserves a substantial portion of the world's habitat for Dall's sheep. Additionally, muskox, previously extirpated, are re-colonizing the area.

- **Research and Monitoring**
  The park provides an unparalleled opportunity to understand the arctic ecosystem and to use monitoring information for science-based resource management and decisions.

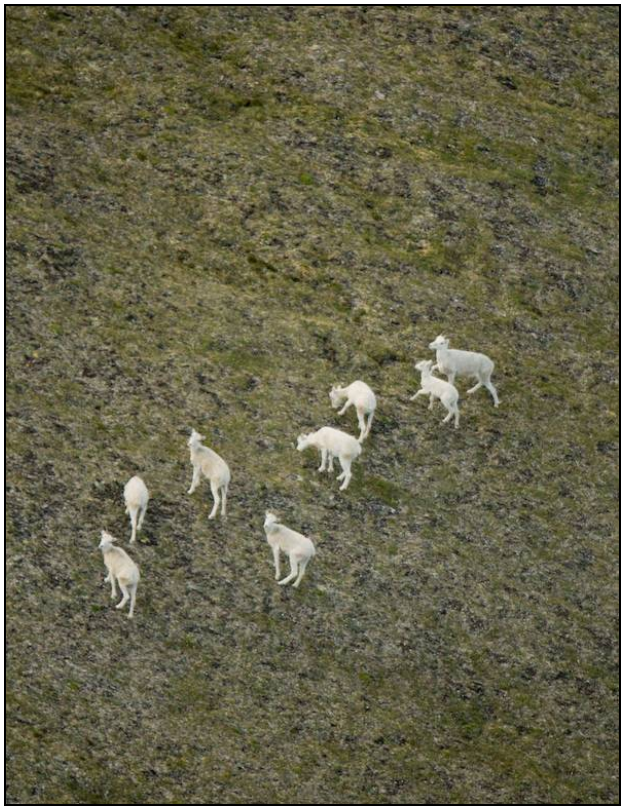


*Photo by Carl Johnson*

## PRIMARY INTERPRETIVE THEME

Gates of the Arctic National Park and Preserve enables the fragile arctic ecosystem to evolve with minimal human interactions and serves as a barometer for the health of the arctic.

# Wilderness Experience

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park and Preserve provides visitors with opportunities for solitude and challenging wilderness adventures within a remote and vast arctic landscape, providing for self-discovery, renewal, and freedom.

## FUNDAMENTAL RESOURCES AND VALUES

- **Wilderness Character**
  The park protects the untrammeled, natural, and undeveloped qualities of an arctic, mountainous landscape.

- **Opportunity for Solitude**
  The remote character of the park enhances the feeling of being the first person in the area and allows for freedom from societal constraints.

- **Wilderness Dependent Species**
  The park protects intact ecosystems for wilderness dependent wildlife keystone species such as grizzly bears, caribou, wolves, sheep and raptorial birds.

- **Wilderness Recreation**
  The park provides visitors with the opportunity to challenge themselves in a wilderness setting free of modern human modification which requires self reliance; is full of risk, uncertainty and difficult access.

- **Natural Soundscapes**
  The park is a place of profound quiet where soundscapes are dominated by natural sounds.

- **Scenic Landscapes**
  The gaunt beauty and pristine landscapes of the park evoke the spiritual, intangible essence of a timeless arctic wilderness that inspires a sense of discovery.

*Photo by Carl Johnson*

## PRIMARY INTERPRETIVE THEME

The immense size and remoteness of Gates of the Arctic National Park and Preserve insures that visitors can experience the full range of wilderness values and characteristics.

# Subsistence

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park and Preserve protects habitats and resources in consultation with local rural residents to provide subsistence opportunities on lands that have supported traditional cultures and local residents.

## FUNDAMENTAL RESOURCES AND VALUES

- **Caribou Migration Range**
  The park protects the unimpeded movement of the three arctic caribou herds; the Western Arctic Herd, the Central Arctic Herd, and the Teshepuk Herd.

- **Subsistence Resources**
  The park contains a wide variety of wildlife, fish, and plants that provide the fundamental base for subsistence.

- **Habitats**
  The park and preserve protects a range of habitats that support a diversity of plants, fish, and wildlife.

- **Cultural Knowledge**
  The park staff works collaboratively with local residents to document traditional cultural knowledge and contemporary adaptations of their subsistence way of life.

- **Resident Zone Communities**
  The park provides subsistence opportunities for resident zone communities representing Alaska's diverse cultural heritage, and others who qualify for subsistence use of park resources. The park is also one of the few places in the national park system where one has the opportunity to establish residency and practice contemporary subsistence.

- **Anaktuvuk Pass**
  Anaktuvuk Pass is the only indigenous community that is fully within the boundaries of an Alaska national park. The park staff and community members collaborate on such issues as access, and the protection and interpretation of natural and cultural resources.

- **Spiritual and Cultural Landscape**
  The park embodies the cultural and spiritual values of the area's traditional inhabitants.

*Photo by Carl Johnson*

## PRIMARY INTERPRETIVE THEME

Gates of the Arctic National Park and Preserve provides opportunities for residents to continue the subsistence way of life.

# Cultural Resources

## SIGNIFICANCE STATEMENT

Gates of the Arctic National Park and Preserve protects a 12,000-year record of human cultural adaptations to high latitude mountain environments and an unbroken tradition of living on the land.

## FUNDAMENTAL RESOURCES AND VALUES

- **Archaeological Sites**
  The park contains remains of camps, villages, and hunting activities that document human responses to changing environments since the end of the last ice age.

- **Museum Collections and Archives**
  The park preserves the artifacts, specimens, and records that represent the evidence of the area's residents, past and present.

- **Alaska Native History and Culture**
  The park staff collaborates with residents to gather and preserve knowledge of local indigenous history and culture.

- **Euroamerican History and Culture**
  The park preserves the history and tradition of central Brooks Range explorers, gold miners, fur trappers, subsistence users, and wilderness enthusiasts such as Bob Marshall.

*Caption needed*

## PRIMARY INTERPRETIVE THEME

Gates of the Arctic is an inhabited wilderness. Gates of the Arctic protects the core traditional homelands of the Nunamiut Inupiat peoples, one of the last recorded nomadic groups to settle in a community.

# Special Mandates and Administrative Commitments

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# Participants

**Gates of the Arctic National Park and Preserve**

Chris Allan, Historian
Robin Burch, Administrative Officer
Jobe Chakuchin, NEPA Specialist/Park Planner
Pete Christian, Park Ranger - Pilot
Greg Dudgeon, Superintendent
David Krupa, Program Manager, Subsistence and Ethnography
Jim Lawler, Arctic Network I&M Coordinator
Tom Liebescher, Chief of Resources
Maggie MacCluskie, Central Alaska Network Coordinator
Don Pendergrast, Chief of Interpretation
Tracie Pendergrast, Education Specialist/Interpretive Ranger
Jeff Rasic, Archeologist
James Savage, Assistant Fire Management Officer
Heidi Schoppenhorst, Interpretive Ranger
Arch Thompson, Facilities Manager
Gary Youngblood, Chief Ranger

**Alaska Regional Office**

Judy Alderson, Environmental Specialist
Zach Babb, Outdoor Recreation Planner
Joan Darnell, Team Manager, Environmental Planning and Compliance

**Denver Service Center**

Stephan Nofield, Community Planner

# Appendix A – Legislation

***Appendix A includes selected excerpts from ANILCA that are most relevant for the day to day management of Gates of the Arctic National Park and Preserve.***

# An Act

To provide for the designation and conservation of certain public lands in the State Dec. 2, 1980 of Alaska, including the designation of units of the National Park, National [H.R. 39] Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. This Act may be cited as the "Alaska National Interest Lands Interest Lands Conservation Act".**

* * * * * * *

## TITLE I—PURPOSES, DEFINITIONS, AND MAPS

### PURPOSES

SEC. 101. (a) In order to preserve for the benefit, use, education, and inspiration of present and future generations certain lands and waters in the State of Alaska that contain nationally significant natural, scenic, historic, archeological, geological, scientific, wilderness, cultural, recreational, and wildlife values, the units described in the following titles are hereby established.

(b) It is the intent of Congress in this Act to preserve unrivaled scenic and geological values associated with natural landscapes; to provide for the maintenance of sound populations of, and habitat for, wildlife species of inestimable value to the citizens of Alaska and the Nation, including those species dependent on vast relatively undeveloped areas; to preserve in their natural state extensive unaltered arctic tundra, boreal forest, and coastal rainforest ecosystems; to protect the resources related to subsistence needs; to protect and preserve historic and archeological sites, rivers, and lands, and to preserve wilderness resource values and related recreational opportunities including but not limited to hiking, canoeing, fishing, and sport hunting, within large arctic and subarctic wildlands and on freeflowing rivers; and to maintain opportunities for scientific research and undisturbed ecosystems.

(c) It is further the intent and purpose of this Act consistent with management of fish and wildlife in accordance with recognized scientific principles and the purposes for which each conservation system unit is established, designated, or expanded by or pursuant to this Act, to provide the opportunity for rural residents engaged in a subsistence way of life to continue to do so.

* * * * * * *

## TITLE II—NATIONAL PARK SYSTEM

### ESTABLISHMENT OF NEW AREAS

SEC. 201. The following areas are hereby established as units of the National Park System and shall be administered by the Secretary under the laws governing the administration of such lands and under the provisions of this Act:

(4)(a) Gates of the Arctic National Park, containing approximately seven million fifty-two thousand acres of public lands, Gates of the Arctic National Preserve, containing approximately nine hundred thousand acres of Federal lands, as generally depicted on map numbered GAAR-90,011, and dated July 1980. The park and preserve shall be managed for the following purposes, among others: To maintain the wild and undeveloped character of the area, including opportunities for visitors to experience solitude, and the natural environmental integrity and scenic beauty of the mountains, forelands, rivers, lakes, and other natural features; to provide continued opportunities, including reasonable access, for mountain climbing, mountaineering, and other wilderness recreational activities; and to protect habitat for and the populations of, fish and wildlife, including, but not limited to, caribou, grizzly bears, Dall sheep, moose, wolves, and raptorial birds. Subsistence uses by local residents shall be permitted in the park, where such uses are traditional, in accordance with the provisions of title VIII.

(b) Congress finds that there is a need for access for surface transportation purposes across the Western (Kobuk River) unit of the Gates of the Arctic National Preserve (from the Ambler Mining District to the Alaska Pipeline Haul Road) and the Secretary shall permit such access in accordance with the provisions of this subsection.

(c) Upon the filing of an application pursuant to section 1104 (b), and (c) of this Act for a right-of-way across the Western (Kobuk River) unit of the preserve, including the Kobuk Wild and Scenic River, the Secretary shall give notice in the Federal Register of a thirty-day period for other applicants to apply for access.

(d) The Secretary and the Secretary of Transportation shall jointly prepare an environmental and economic analysis solely for the purpose of determining the most desirable route for the right-of-way and terms and conditions which may be required for the issuance of that right-of-way. This analysis shall be completed within one year and the draft thereof within nine months of the receipt of the application and shall be prepared in lieu of an environmental impact statement which would otherwise be required under section 102(2)(C) of the National Environmental Policy Act. Such analysis shall be deemed to satisfy all requirements of that Act and shall not be subject to judicial review. Such environmental and economic analysis shall be prepared in accordance with the procedural requirements of section 1104(e). The Secretaries in preparing the analysis shall consider the following—

(i) Alternative routes including the consideration of economically feasible and prudent alternative routes across the preserve which would result in fewer or less severe adverse impacts upon the preserve.

(ii) The environmental and social and economic impact of the right-of-way including impact upon wildlife, fish, and their habitat, and rural and traditional lifestyles including subsistence activities, and measures which should be instituted to avoid or minimize negative impacts and enhance positive impacts.

e) Within 60 days of the completion of the environmental and economic analysis, the Secretaries shall jointly agree upon a route for issuance of the right-of-way across the preserve. Such right-of-way shall be issued in accordance with the provisions of section 1107 of this Act.

* * * * * * *

**GENERAL ADMINISTRATION**

SEC. 203. Subject to valid existing rights, the Secretary shall administer the lands, waters, and interests therein added to existing areas or established by the foregoing sections of this title as new areas of the National Park System, pursuant to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and, as appropriate, under section 1313 and the other applicable provisions of this Act: Provided, however, That hunting shall be permitted in areas designated as national preserves under the provisions of this Act. Subsistence uses by local residents shall be allowed in national
preserves and, where specifically permitted by this Act, in national monuments and parks.

* * * * * * *

## TITLE VI—NATIONAL WILD AND SCENIC RIVERS SYSTEM

### PART A—WILD AND SCENIC RIVERS WITHIN NATIONAL PARK SYSTEM ADDITIONS

SEC. 601. DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act, as amended (16 U.S.C. 1274(a)), is further amended by adding the following new paragraphs:

"(26) ALATNA, ALASKA.—The main stem within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(30) JOHN, ALASKA.—That portion of the river within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(31) KOBUK, ALASKA.—That portion within the Gates of the Arctic National Park and Preserve; to be administered by the Secretary of the Interior.

"(33) NOATAK, ALASKA.—The river from its source in the Gates of the Arctic National Park to its confluence with the Kelly River in the Noatak National Preserve; to be administered by the Secretary of the Interior.

"(34) NORTH FORK OF THE KOYUKUK, ALASKA.—That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

"(36) TINAYGUK, ALASKA.—That portion within the Gates of the Arctic National Park; to be administered by the Secretary of the Interior.

*  *  *  *  *  *  *

### ADMINISTRATIVE PROVISIONS

SEC. 605. (a) Rivers in paragraphs (25) through (37) in units of the National Park System, and (38) through (43) in units of the National Wildlife Refuge System are hereby classified and designated and shall be administered as wild rivers pursuant to the Wild and Scenic Rivers Act.

### OTHER AMENDMENTS TO THE WILD AND SCENIC RIVERS ACT

SEC. 606. (a) The Wild and Scenic Rivers Act, as amended, is further amended by inserting the following after section 14 and redesignating sections 15 and 16 as sections 16 and 17, respectively:

"SEC. 15. Notwithstanding any other provision to the contrary in sections 3 and 9 of this Act, with respect to components of the National Wild and Scenic Rivers System in Alaska designated by paragraphs (38) through (50) of section 3(a) of this Act—

"(1) the boundary of each such river shall include an average of not more than six hundred and forty acres per mile on both sides of the river. Such boundary shall not include any lands owned by the State or a political subdivision of the State nor shall such boundary extend around any private lands adjoining the river in such manner as to surround or effectively surround such private lands; and

"(2) the withdrawal made by paragraph (iii) of section 9(a) shall apply to the minerals in Federal lands which constitute the bed or bank or are situated within one-half mile of the bank of any river designated a wild river by the Alaska National Interest Lands Conservation Act.".

(b) Section 9(b) of such Act is amended by adding the following at the end thereof: "Notwithstanding the foregoing provisions of this subsection or any other provision of this Act, all public lands which constitute the bed or bank, or are within an area extending two miles from the bank of the river channel on both sides of the river segments referred to in paragraphs (77) through (88) of section 5(a), are hereby withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto, during the periods specified in section 7(b) of this Act.".

(c) Section 8(b) of such Act is amended by adding the following at the end thereof: "Notwithstanding the foregoing provisions of this subsection or any other provision of this Act, subject only to valid existing rights, including valid Native selection rights under the Alaska Native Claims Settlement Act, all public lands which constitute the bed or bank, or are within an area extending two miles from the bank of the river channel on both sides of the river segments referred to in paragraphs (77) through (88) of section 5(a) are hereby withdrawn from entry, sale, State selection or other disposition under the public land laws of the United States for the periods specified in section 7(b) of this Act.".

*  *  *  *  *  *  *

## TITLE VII—NATIONAL WILDERNESS PRESERVATION SYSTEM

### DESIGNATION OF WILDERNESS WITHIN NATIONAL PARK SYSTEM

SEC. 701. In accordance with subsection 3(c) of the Wilderness Act (78 Stat. 892), the public lands within the boundaries depicted as "Proposed Wilderness" on the maps referred to in sections 201 and 202 of this Act are hereby designated as wilderness, with the nomenclature and approximate acreage as indicated below:

(2) Gates of the Arctic Wilderness of approximately seven million and fifty-two thousand acres;

*  *  *  *  *  *  *

## TITLE VIII—SUBSISTENCE MANAGEMENT AND USE FINDINGS

SEC. 801. The Congress finds and declares that—

(1) the continuation of the opportunity for subsistence uses by rural residents of Alaska, including both Natives and non-Natives, on the public lands and by Alaska Natives on Native lands is essential to Native physical, economic, traditional, and cultural existence and to non-Native physical, economic, traditional, and social existence;

(2) the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply rural residents dependent on subsistence uses;

(3) continuation of the opportunity for subsistence uses of
resources on public and other lands in Alaska is threatened by the increasing population of Alaska, with resultant pressure on subsistence resources, by sudden decline in the populations of some wildlife species which are crucial subsistence resources, by increased accessibility of remote areas containing subsistence resources, and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management;

(4) in order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act and as a matter of equity, it is necessary for the Congress to invoke its constitutional authority over Native affairs and its constitutional authority under the property clause and the commerce clause to protect and provide the opportunity for continued subsistence uses on the public lands by Native and non-Native rural residents; and

(5) the national interest in the proper regulation, protection, and conservation of fish and wildlife on the public lands in Alaska and the continuation of the opportunity for a subsistence way of life by residents of rural Alaska require that an administrative structure be established for the purpose of enabling rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses on the public lands in Alaska.

* * * * * * *

**POLICY**

SEC. 802. It is hereby declared to be the policy of Congress that—

(1) consistent with sound management principles, and the conservation of healthy populations of fish and wildlife, the utilization of the public lands in Alaska is to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources of such lands, consistent with management of fish and wildlife in accordance with recognized scientific principles and the purposes for each unit established, designated, or expanded by or pursuant to titles II through VII of this Act, the purpose of this title is to provide the opportunity for rural residents engaged in a subsistence way of life to do so;

(2) nonwasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive uses of all such resources on the public lands of Alaska when it is necessary to restrict taking in order to assure the continued viability of a fish or wildlife population or the continuation of subsistence uses of such population, the taking of such population for nonwasteful subsistence uses shall be given preference on the public lands over other consumptive uses; and

(3) except as otherwise provided by this Act or other Federal laws, Federal land managing agencies, in managing subsistence activities on the public lands and in protecting the continued viability of all wild renewable resources in Alaska, shall cooperate with adjacent landowners and land managers, including Native Corporations, appropriate State and Federal agencies, and other nations.

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**DEFINITIONS**

SEC. 803. As used in this Act, the term “subsistence uses” means the customary and traditional uses by rural Alaska residents of wild renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of nonedible byproducts of fish and wildlife resources taken for personal or family consumption; for barter, or sharing for personal or family consumption; and for customary trade. For the purposes of this section, the term—

(1) “family” means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

(2) “barter” means the exchange of fish or wildlife or their parts, taken for subsistence uses—

(A) for other fish or game or their parts; or

(B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.

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**PREFERENCE FOR SUBSISTENCE USES**

SEC. 804. Except as otherwise provided in this Act and other Federal laws, the taking on public lands of fish and wildlife for nonwasteful subsistence uses shall be accorded priority over the taking on such lands of fish and wildlife for other purposes. Whenever it is necessary to restrict the taking of populations of fish and wildlife on such lands for subsistence uses in order to protect the continued viability of such populations, or to continue such uses, such priority shall be implemented through appropriate limitations based on the application of the following criteria:

(1) customary and direct dependence upon the populations as the mainstay of livelihood;

(2) local residency; and

(3) the availability of alternative resources.

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**COOPERATIVE AGREEMENTS**

SEC. 809. The Secretary may enter into cooperative agreements or otherwise cooperate with other Federal agencies, the State, Native Corporations, other appropriate persons and organizations, and, acting through the Secretary of State, other nations to effectuate the purposes and policies of this title.

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**SUBSISTENCE AND LAND USE DECISIONS**

SEC. 810. (a) 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.

(b) If the Secretary is required to prepare an environmental impact statement pursuant to section 102(2)(C) of the National Environmental Policy Act, he shall provide the notice and hearing and include the findings required by subsection (a) as part of such environmental impact statement.

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**ACCESS**

SEC. 811. (a) The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands.

(b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation.

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**RESEARCH**

SEC. 812. The Secretary, in cooperation with the State and other appropriate Federal agencies, shall undertake research on fish and wildlife and subsistence uses on the public lands; seek data from, consult with and make use of, the special knowledge of local residents engaged in subsistence uses; and make the results of such research available to the State, the

local and regional councils established by the Secretary or State pursuant to section 805, and other appropriate persons and organizations.

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**LIMITATIONS, SAVINGS CLAUSES**

SEC. 815. Nothing in this title shall be construed as—

(1) granting any property right in any fish or wildlife or other resource of the public lands or as permitting the level of subsistence uses of fish and wildlife within a conservation system unit to be inconsistent with the conservation of healthy populations, and within a national park or monument to be inconsistent with the conservation of natural and healthy populations, of fish and wildlife.

(3)authorizing a restriction on the taking of fish and wildlife for nonsubsistence uses on the public lands (other than national parks and park monuments) unless necessary for the conservation of healthy populations of fish and wildlife, for the reasons set forth in section 816, to continue subsistence uses of such populations, or pursuant to other applicable law;

Aid in Fish Restoration Act (64 Stat. 430;16 U.S.C. 777777K), or any amendments to any one or more of such Acts.

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**CLOSURE TO SUBSISTENCE USES**

SEC. 816. (b) Except as specifically provided otherwise by this section, nothing in this title is intended to enlarge or diminish the authority of the Secretary to designate areas where, and establish periods when, no taking of fish and wildlife shall be permitted on the public lands for reasons of public safety, administration, or to assure the continued viability of a particular fish or wildlife population. Notwithstanding any other provision of this Act or other law, the Secretary, after consultation with the State and adequate notice and public hearing, may temporarily close any public lands (including those within any conservation system unit), or any portion thereof, to subsistence uses of a particular fish or wildlife population only if necessary for reasons of public safety, administration, or to assure the continued viability of such population. If the Secretary determines that an emergency situation exists and that extraordinary measures must be taken for public safety or to assure the continued viability of a particular fish or wildlife population, the Secretary may immediately close the public lands, or any portion thereof, to the subsistence uses of such population and shall publish the reasons justifying the closure in the Federal Register. Such emergency closure shall be effective when made, shall not extend for a period exceeding sixty days, and may not subsequently be extended unless the Secretary affirmatively establishes, after notice and public hearing, that such closure should be extended.

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**ALASKA MINERAL RESOURCE ASSESSMENT PROGRAM**

SEC. 1010. (a) MINERAL ASSESSMENTS.—The Secretary shall, to the full extent of his authority, assess the oil, gas, and other mineral potential on all public lands in the State of Alaska in order to expand the data base with respect to the mineral potential of such lands. The mineral assessment program may include, but shall not be limited to, techniques such as side-looking radar imagery and, on public lands other than such lands within the national park system, core and test drilling for geologic information, notwithstanding any restriction on such drilling under the Wilderness Act. For purposes of this Act, core and test drilling means the extraction by drilling of subsurface geologic samples in order to assess the metalliferous or other mineral values of geologic terrain, but shall not be construed as including exploratory drilling of oil and gas test wells. To the maximum extent practicable, the Secretary shall consult and exchange information with the State of Alaska regarding the responsibilities of the Secretary under this section and similar programs undertaken by the State. In order to carry out mineral assessments authorized under this or any other law, including but not limited to the National Uranium Resource Evaluation program, the Secretary shall allow for access by air for assessment activities permitted in this subsection to all public lands involved in such study. He shall consult with the Secretary of Energy and heads of other Federal agencies carrying out such programs, to determine such reasonable requirements as may be necessary to protect the resources of such area, including fish and wildlife. Such requirements may provide that access will not occur during nesting, calving, spawning or such other times as fish and wildlife in the specific area may be especially vulnerable to such activities. The Secretary is authorized to enter into contracts with public or private entities to carry out all or any portion of the mineral assessment program. This section shall not apply to the lands described in section 1001 of this Act.

(b) REGULATIONS.—Activities carried out in conservation system units under subsection (a) shall be subject to regulations promulgated by the Secretary. Such regulations shall ensure that such activities are carried out in an environmentally sound manner—

(1)which does not result in lasting environmental impacts which appreciably alter the natural character of the units or biological or ecological systems in the units; and

(2)which is compatible with the purposes for which such units are established.

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### SPECIAL ACCESS AND ACCESS TO INHOLDINGS

SEC. 1110. (a) Notwithstanding any other provision of this Act or other law, the Secretary shall permit, on conservation system units national recreation areas, and national conservation areas, and those public lands designated as wilderness study, the use of snowmachines (during periods of adequate snow cover, or frozen river conditions in the case of wild and scenic rivers), motorboats, airplanes, and nonmotorized surface transportation methods for traditional activities (where such activities are permitted by this Act or other law) and for travel to and from villages and homesites. Such use shall be subject to reasonable regulations by the Secretary to protect the natural and other values of the conservation system units, national recreation areas, and national conservation areas, and shall not be prohibited unless, after notice and hearing in the vicinity of the affected unit or area, the Secretary finds that such use would be detrimental to the resource values of the unit or area. Nothing in this section shall be construed as prohibiting the use of other methods of transportation for such travel and activities on conservation system lands where such use is permitted by this Act or other law.

(b) Notwithstanding any other provisions of this Act or other law, in any case in which State owned or privately owned land, including subsurface rights of such owners underlying public lands, or a valid mining claim or other valid occupancy is within or is effectively surrounded by one or more conservation system units, national recreation areas, national conservation areas, or those public lands designated as wilderness study, the State or private owner or occupier shall be given by the Secretary such rights as may be necessary to assure adequate and feasible access for economic and other purposes to the concerned land by such State or private owner or occupier and their successors in interest. Such rights shall be subject to reasonable regulations issued by the Secretary to protect the natural and other values of such lands.

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### TEMPORARY ACCESS

SEC. 1111. (a) IN GENERAL.—Notwithstanding any other provision of this Act or other law the Secretary shall authorize and permit temporary access by the State or a private landowner to or across any conservation system unit, national recreation area, national conservation area, the National Petroleum Reserve— Alaska or those public lands designated as wilderness study or managed to maintain the wilderness character or potential thereof, in order to permit the State or private landowner access to its land for purposes of survey, geophysical, exploratory, or other temporary uses thereof whenever he determines such access will not result in permanent harm to the resources of such unit, area, Reserve or lands.

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## TITLE XIII—ADMINISTRATIVE PROVISIONS

### MANAGEMENT PLANS

SEC. 1301. (a) Within five years from the date of enactment of this Act, the Secretary shall develop and transmit to the appropriate Committees of the Congress a conservation and management plan for each of the units of the National Park System established or to which additions are made by this Act.

(b) NATIONAL PARK SERVICE PLAN REQUIREMENTS.—Each plan for a unit established, redesignated, or expanded by title II shall identify management practices which will carry out the policies of this Act and will accomplish the purposes for which the concerned National Park System unit was established or expanded and shall include at least the following:

(1) Maps indicating areas of particular importance as to wilderness, natural, historical, wildlife, cultural, archeological, paleontological, geological, recreational, and similar resources and also indicating the areas into which such unit will be divided for administrative purposes.

(2) A description of the programs and methods that will be employed to manage fish and wildlife resources and habitats, cultural, geological, recreational, and wilderness resources, and how each conservation system unit will contribute to overall resources management goals of that region. Such programs should include research, protection, restoration, development, and interpretation as appropriate.

(3) A description of any areas of potential or proposed development, indicating types of visitor services and facilities to be provided, the estimated costs of such services and facilities, and whether or not such services and facilities could and should be provided outside the boundaries of such unit.

(4) A plan for access to, and circulation within, such unit, indicating the type and location of transportation routes and facilities, if any.

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**NAVIGATION AIDS AND OTHER FACILITIES**

SEC. 1310. (a) EXISTING FACILITIES.—Within conservation system units established or expanded by this Act, reasonable access to, and operation and maintenance of, existing air and water navigation aids, communications sites and related facilities and existing facilities for weather, climate, and fisheries research and monitoring shall be permitted in accordance with the laws and regulations applicable to units of such systems, as appropriate. Reasonable access to and operation and maintenance of facilities for national defense purposes and related air and water navigation aids within or adjacent to such areas shall continue in accordance with the laws and regulations governing such facilities notwithstanding any other provision of this Act. Nothing in the Wilderness Act shall be deemed to prohibit such access, operation and maintenance within wilderness areas designated by this Act.

(b) NEW FACILITIES.—The establishment, operation, and maintenance within any conservation system unit of new air and water navigation aids and related facilities, facilities for national defense purposes, and related air and water navigation aids, and facilities for weather, climate, and fisheries research and monitoring shall be permitted but only (1) after consultation with the Secretary or the Secretary of Agriculture, as appropriate, by the head of the Federal department or agency undertaking such establishment, operation, or maintenance, and (2) in accordance with such terms and conditions as may be mutually agreed in order to minimize the adverse effects of such activities within such unit.

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**ADMINISTRATION OF NATIONAL PRESERVES**

SEC. 1313. A National Preserve in Alaska shall be administered and managed as a unit of the National Park System in the same manner as a national park except as otherwise provided in this Act and except that the taking of fish and wildlife for sport purposes and subsistence uses, and trapping shall be allowed in a national preserve under applicable State and Federal law and regulation. Consistent with the provisions of section 816, within national preserves the Secretary may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having responsibility over hunting, fishing, and trapping activities.

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**TAKING OF FISH AND WILDLIFE**

SEC. 1314. (a) Nothing in this Act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands except as may be provided in title VIII of this Act, or to amend the Alaska constitution.

(b) Except as specifically provided otherwise by this Act, nothing in this Act is intended to enlarge or diminish the responsibility and authority of the Secretary over the management of the public lands.

(c) The taking of fish and wildlife in all conservation system units, and in national conservation areas, national recreation areas, and national forests, shall be carried out in accordance with the provisions of this Act and other applicable State and Federal law. Those areas designated as national parks or national park system monuments in the State shall be closed to the taking of fish and wildlife, except that—

(1) notwithstanding any other provision of this Act, the Secretary shall administer those units of the National Park System, and those additions to existing units, established by this Act and which permit subsistence uses, to provide an opportunity for the continuance of such uses by local rural residents; and

(2) fishing shall be permitted by the Secretary in accordance with the provisions of this Act and other applicable State and Federal law.

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## WILDERNESS MANAGEMENT

SEC. 1315. (a) APPLICATION ONLY TO ALASKA.—The provisions of this section are enacted in recognition of the unique conditions in Alaska. Nothing in this section shall be construed to expand, diminish; or modify the provisions of the Wilderness Act or the application or interpretation of such provisions with respect to lands outside of Alaska.

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## ALLOWED USES

SEC. 1316. (a) On all public lands where the taking of fish and wildlife is permitted in accordance with the provisions of this Act or other applicable State and Federal law the Secretary shall permit, subject to reasonable regulation to insure compatibility, the continuance of existing uses, and the future establishment, and use, of temporary campsites, tent platforms, shelters, and other temporary facilities and equipment directly and necessarily related to such activities. Such facilities and equipment shall be constructed, used, and maintained in a manner consistent with the protection of the area in which they are located. All new facilities shall be constructed of materials which blend with, and are compatible with, the immediately surrounding landscape. Upon termination of such activities and uses (but not upon regular or seasonal cessation), such structures or facilities shall, upon written request, be removed from the area by the permittee.

(b) Notwithstanding the foregoing provisions, the Secretary may determine, after adequate notice, that the establishment and use of such new facilities or equipment would constitute a significant expansion of existing facilities or uses which would be detrimental to the purposes for which the affected conservation system unit was established, including the wilderness character of any wilderness area within such unit, and may there upon deny such proposed use or establishment.

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# Appendix B – Legislative History

***Appendix B includes legislation that, while superseded by ANILCA, offers contextual background information regarding the establishment of Gates of the Arctic National Park and Preserve.***

## Gates of the Arctic National Monument

*By the President of the United States of America*

## A Proclamation

Lying wholly north of the Arctic Circle, the Gates of the Arctic National Monument hereby created preserves an area containing a wide variety of interior arctic geological and biological forms. The essence of the geology of the area is its great diversity. There are excellent examples of glacial action which formed U-shaped valleys and morraine-dammed lakes. In contrast are the fissure-shaped precipices of Ernie Creek and the tilted limestone blocks along the northern edge of the Brooks Range.

Associated with these various land forms is a progression of ecosystems representing a continuum of communities from the boreal spruce forest and riparian shrub thickets in the south to the arctic tussock tundra in the north. These communities of plants and undisturbed animals offer excellent opportunities for study of natural interaction of the species.

The monument also protects a substantial portion of the habitat requirements for the Western Arctic caribou herd which uses ancient routes through the mountains for migration. This herd, which has suffered severe population losses recently, is of great value for the study of the population dynamics relating to both the decline and recovery of the herd.

The archeological and historical significance of the area is demonstrated by the studies which have revealed evidence of human habitation for approximately 7,000 years. Several known traditional Indian-Eskimo trade routes run through the monument area giving the promise of further important archeological discoveries. In the Wiseman and Ernie's Cabin mining regions in the south are offered opportunities for historical study of the life of the Alaskan pioneer miner of the early twentieth century.

The land withdrawn and reserved by this Proclamation for the protection of the biological, geological, archeological, historical, and other phenomena enumerated above supports now, as it has in the past, the unique subsistence culture of the local residents. The continued existence of this culture, which depends upon subsistence hunting, and its availability for study, enhance the historic and scientific values of the natural objects protected herein because of the ongoing interaction of the subsistence culture with those objects. Accordingly, the opportunity for local residents to engage in subsistence hunting is a value to be protected and will continue tinder the administration of the monument.

Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and to reserve as part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected.

Now, THEREFORE, I, ,JIMMY CARTER, President of the United States of America, by the authority vested in me by Section 2 of the Act of June 8, 1906 (34 Stat. 225, 16 U.S.C. 431), do proclaim that there are hereby set apart and reserved as the Gates of the Arctic National Monument all lands, including submerged lands, and waters owned or controlled by the United States within the boundaries of the area depicted as the Gates of the Arctic National Monument on the map numbered GAAR-90,011 attached to and forming a part of this Proclamation. The area reserved consists of approximately 8,220,000 acres, and is the smallest area compatible with the proper care and management of the objects to be protected. Lands, including submerged lands, and waters within these boundaries not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States.

All lands, including submerged lands, and all waters within the boundaries of this monument are hereby appropriated and withdrawn from entry, location, selection, sale or other disposition under the public land laws, other than exchange. There is also reserved all water necessary to the proper care and management of those objects protected by this monument and for the proper administration of the monument in accordance with applicable laws.

The establishment of this monument is subject to valid existing rights, including, but not limited to, valid selections under the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601 et seq.), and tinder or confirmed in the Alaska Statehood Act (48 U.S.C. Note preceding Section 21).

Nothing in this Proclamation shall be deemed to revoke any existing withdrawal, reservation or appropriation, including any withdrawal under Section 17 (d) (1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1616(d) (1)); however, the national monument shall be the dominant reservation. Nothing in this Proclamation is intended to modify or revoke the terms of the Memorandum of Understanding dated September 1, 1972, entered into between the State of Alaska and the United States as part of the negotiated settlement of Alaska v. Morton, Civil No. A 48-72 (D. Alaska, Complaint filed April 10, 1972).

The Secretary of the Interior shall promulgate such regulations as are appropriate, including regulation of the opportunity to engage in a subsistence lifestyle by local residents. The Secretary may close the national monument, or any portion thereof, to subsistence uses of a particular fish, wildlife or plant population if necessary for reasons of public safety, administration, or to ensure the natural stability or continued viability of such population.

Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of December, in the year of our Lord nineteen hundred and seventy-eight, and of the Independence of the United States of America the two hundred and third.

JIMMY CARTER