

LANDOWNERSHIP AND USES

CURRENT LAND STATUS INSIDE THE PARK AND PRESERVE BOUNDARY

At the present time 70,576 acres of land within the boundaries of Denali National Park and Preserve is either in nonfederal ownership or under application. These nonfederal lands or interests are owned or held by the state of Alaska, Alaska native regional and village corporations and groups, and private individuals (table 4). State lands account for 10 percent of these nonfederal lands. An additional 8,400 acres, more or less, of unpatented mining claims exist within Denali. While the surface estates of unpatented mining claims are retained in federal ownership, these lands remain encumbered by mineral rights. Rights-of-way for the Alaska Railroad and the George Parks Highway traverse the eastern edge of the park.

For the most part the nonfederal lands are concentrated in three specific areas of the park. The Kantishna Hills contain 292 patented and unpatented mining claims and some small tracts of private land. The Cantwell/Dunkle Mine area contains 163 unpatented mining claims along with state and regional and village corporation lands under application. An area near Lake Minchumina in the preserve contains state, regional corporation, and native group lands under application (some covering entire townships) and some small tract entries and cemetery sites. The state submerged lands of concern in Denali are the navigable portions of the Tokositna, Kantishna, and Muddy rivers. These lands are shown generally on the Land Status map. Individual tracts are listed in appendix L.

COMPATIBILITY OF LAND USES

The National Park Service is required to examine existing and potential uses of nonfederal lands within the park and preserve to determine if these uses are compatible with the purposes for which the unit was established (ANILCA, section 1301).

The following lists of compatible and incompatible uses of nonfederal lands in the park and preserve are presented to publicly inform landowners about what uses of nonfederal lands are generally compatible with the purposes of the unit and what uses will cause the National Park Service to initiate actions to protect park and preserve resources and values. These lists are intended to serve as general guidelines for both park managers and nonfederal landowners. Because all possible uses of nonfederal lands cannot be anticipated, and because other compatible and incompatible uses may exist, the following lists are not intended to be all-inclusive.

Compatible Uses

residential, recreational, or subsistence activities that do not adversely affect wildlife or other values on adjacent federal lands

repair, replacement, or minor modification of existing structures whose appearance blends with the undeveloped character of adjacent federal lands

limited construction of new structures whose appearance blends with the undeveloped character of adjacent federal lands

Incompatible Uses

activities that damage or contribute to damage of archeological or historical resources (e.g., increased recreational use, artifact collection, new construction)

activities that result in water pollution, sedimentation, or other impairment of fish spawning, rearing, feeding and overwintering habitat, or other surface or ground waters (e.g., logging, mining, waste disposal)

surface-disturbing activities that disrupt drainage patterns, accelerate erosion, and increase runoff and sediment loads, or which unduely change the visual character of the park and preserve (e.g., construction of roads and airstrips)

activities that impair wildlife's use of habitat on adjacent federal land (e.g., land disposals for residential or commerical use, habitat manipulations affecting distribution of wildlife)

hunting or trapping that impairs the natural condition of wildlife populations on adjacent federal lands

disposal of refuse in a manner that attracts bears, pollutes water resources, or otherwise impairs public health and safety

blocking public access when and where no other feasible options for public access occur (e.g., no easements to key beach areas or other features)

major new commercial development or subdivision of land that would promote major land use changes

Table 4: Land Status
(January 31, 1986)

<u>General</u>	<u>Acres</u>
National park	4,716,726
National preserve	1,311,365
Total park and preserve	<u>6,028,091</u>
Park wilderness	2,124,783
Preserve wilderness	0
Total park and preserve wilderness	<u>2,124,783</u>
 <u>Ownership Summary</u>	
<u>Park</u>	
Federal	4,699,183
Nonfederal	1,797
Land under application	15,746
 <u>Preserve</u>	
Federal	1,258,332
Nonfederal	800
Land under application	52,233
Total federal	5,957,515
Total nonfederal	2,597
Total land under application	67,979
 <u>Denali National Park</u>	
<u>Nonfederal Interests</u>	
State of Alaska (application)	5,663
State of Alaska, navigable waters/shorelands	
Tokositna River (within T30N R6W)	510
Ahtna Regional Corporation (patent or interim conveyance)	375
Ahtna Regional Corporation, ANCSA 14h8 (application)	7,860
Cantwell Village Corporation (application)	1,382
2 cemetery/historical sites (application)	185
3 headquarters sites (patent)	15
2 homesites (patent)	10
1 homestead settlement (patent)	15
14 mineral patents (34 lode claims)	667
3 mineral patents (9 placer claims, application)	178
1 small tract sale (patent)	5
1 small tract lease (patent)	5
3 trade and manufacturing sites (patent)	194
2 privately held parcels (part of mineral patent no. 01231470)	1
--Overlapping Application--	
State of Alaska and Cantwell Village Corporation (application)	478
Total nonfederal interests	<u>17,543</u>

<u>Denali National Park (Cont.)</u>	<u>Acres</u>
<u>Major Waters (included in federal and nonfederal land)</u>	
Bearpaw River, from mouth to Glacier Creek (BLM advisory)	540
Wonder Lake	630
Total major waters	<u>1,170</u>
<u>Other Nonfederal Interests</u>	
State of Alaska/Alaska Railroad right-of-way (exclusive use easement)	835
University of Alaska mineral interests in 5 previously patented claims (Stampede Mine)	71
251 lode mining claims (unpatented)	5,020*
169 placer mining claims (unpatented)	3,380*
<u>Denali National Preserve</u>	
<u>Nonfederal Interests</u>	
State of Alaska (application)	640
Doyon Regional Corporation, ANCSA 14h8 (application)	22,662**
Doyon Regional Corporation (application)	25,181
Minchumina Native, Inc. (native group application)	3,010
1 cemetery/historical site (application)	630
6 native allotments (10 parcels, approved or conveyed)	800
1 native allotment (1 parcel, application)	110
Total nonfederal interests	<u>53,033</u>
<u>Major Waters (included in federal and nonfederal land)</u>	
Chilchukabena Lake	2,145***
Kantishna River (BLM advisory)	1,895
Muddy River (BLM advisory)	<u>1,230</u>
Total major waters	5,270

* Based on 20 acres per claim.

**Includes 1,030 acres lying within Chilchukabena Lake.

***Includes 1,030 acres under Doyon ANCSA 14h8 application.

EXISTING AND POTENTIAL USES

The existing and potential uses of nonfederal lands are described below.

Native Regional and Village Corporations. ANCSA established native shareholder corporations and enabled them to make applications for land selections. Two regional corporations--Doyon, Limited, and Ahtna, Incorporated--have made prior-right applications for lands within Denali National Park and Preserve, but only a small portion of these lands have been conveyed. ANILCA, section 906(a), provides that "at such time as the entitlement of any Native Corporation to land under the Alaska Native Claims Settlement Act is satisfied, any land within a conservation unit selected by such Native Corporation shall, to the extent that such land is excess of its entitlement, become part of such unit and administered accordingly."

Doyon has developed long-term plans for its selected lands if conveyance takes place. The corporation has indicated an interest in developing tourist recreational facilities within the next 10 to 15 years in the vicinity of Lake Chilchukabena, where access would be provided by float planes. Planning is in a very early stage, but managers foresee developing a large lodge facility rather than cabin sites, if warranted by future demand.

Ahtna currently has no plans for its application lands within the park boundary. Park managers believe these sections, and also the sections selected by the Cantwell Village Corporation (which has since merged with the regional corporation) will be relinquished.

The Minchumina native group has selected several sections within the preserve boundary. Potential uses of group selections will likely concentrate on subsistence use, but they may include commercial guiding or development.

Small Private Tracts. Existing uses of the scattered small tract entries include a mountaineer staging camp in the Ruth Amphitheater, recreational lodges in the Kantishna area, homesteads, cabin sites, and subsistence activities. Future uses of these tracts could include additional private or commercial development. The uses of these tracts at present levels and for existing purposes are deemed compatible and are not seriously affecting park resources. Any additional traffic on the park road may have an adverse effect on wildlife and wildlife viewing.

Native Allotments. Applications for parcels up to 160 acres within the preserve have been filed under the 1906 Alaska Native Allotment Act. Uses of these lands by their owners may include private and commercial development and use of renewable resources, but not development of coal, oil, or gas. To date these allotments have occasionally been used for subsistence and recreational purposes.

Cemetery/Historic Sites (ANCSA 14(h)(1) sites). Three sites within the park and preserve have been selected based on their importance to native

cultural heritage. However, since the lands containing the selections were already reserved at the time of the selection, it appears that they will not be conveyed and will remain in federal ownership.

State of Alaska. The Submerged Lands Act of 1953 and the Alaska Statehood Act of 1958 provide for state ownership of the beds of navigable waters to the "ordinary high water mark." Determination of what waters are navigable is an ongoing process in Alaska at both administrative and judicial levels. A 4-mile segment of the Tokositna River has been determined to be navigable, and title therefore lies with the state of Alaska. The matter of navigability of portions of the Kantishna and Muddy rivers is still in adjudication. If portions are determined to be navigable, ownership of the submerged lands will lie with the state. Potential uses of state-owned submerged lands include gravel extraction, placer mining, and oil and gas development.

The state has applied for adjacent lands along the eastern boundary of the park and adjacent lands in the Minchumina region. The state has no plans at present to subdivide these selections if they are conveyed (draft "Tanana Basin Plan," 1984). Future uses could include subdivision, commercial development, and oil, gas, or mineral development.

Mining Claims. Existing and potential mining and mineral development in the Kantishna Hills/Dunkle Mine area are addressed extensively in two documents: the Environmental Overview and Analysis of Mining Effects (NPS 1981a) and the Final Environmental Impact Statement, Kantishna Hills/Dunkle Mine Study (USDI 1984). The latter document was prepared for the Alaska Land Use Council by an interagency work group and examines several alternatives for future uses of the mining areas. Based on this study the Alaska Land Use Council has recommended the implementation of a mineral leasing program for the Kantishna Hills area and has recommended status quo management for the Dunkle Mine area on the south side of the Alaska Range. These recommendations have been forwarded to Congress. The implementation of a mineral leasing program would require an act of Congress, since the park and preserve are currently closed to all forms of new mineral entry. Until such time as Congress may act upon the recommendations of the council, both the Kantishna Hills and Dunkle Mine areas will continue to be managed according to existing applicable laws and regulations.

The assumption is made in the environmental impact statement on the Kantishna Hills/Dunkle Mine study that if mining is increased substantially on existing patented and unpatented mining claims in the Kantishna Hills, a new mining access road will be required to handle the additional mining traffic between the state highway system and the Kantishna Hills. As stated in the environmental impact statement, "this access route would require applying title XI of ANILCA and necessary additional environmental analysis and compliance with the National Environmental Policy Act for the project. Title XI requires all feasible access corridors to be evaluated, and an additional EIS would have to be prepared." The National Park Service does not support either an expanded mineral leasing program or a new mining access road.