Kobuk Valley National Park
Alaska

National Park Service
Department of the interior

Kobuk Valley National Park

FOUNDATION STATEMENT

Table of Contents

Kobuk Valley National Park – Foundation Statement

Elements of a Foundation Statement…2

Establishment of Alaska National Parks…3

Summary
- Purpose Statement…4
- Significance Statements…4

Location
- Regional Maps…5
- Park Map…6

Purpose Statement…7

Significance Statements / Fundamental Resources and Values / Interpretive Themes
1. Arctic Ecosystems…8
2. Cultural Resources…9
3. Wilderness Character…10
4. Fish, Wildlife and Habitat…11
5. Caribou Migration…10
6. Subsistence…10

Special Mandates and Administrative Commitments…12

Participants…13

Appendix A – Legislation
Alaska National Interest Lands Conservation Act – Selected Excerpts…18

Appendix B – Legislative History
Proclamation 4621 – Kobuk Valley National Monument, 1978…28

Elements of a Foundation Statement

The Foundation Statement is a formal description of Kobuk Valley National Park'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 Kobuk Valley National Park 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 Kobuk Valley National Park. 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 Kobuk Valley National Park.

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 wildlife 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 Kobuk Valley National Park.

Most of the national parks in Alaska, including Kobuk Valley National Park, 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. Kobuk Valley National Park 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 Kobuk Valley National Park is to maintain the environmental integrity of boreal forest, montane, and riverine ecosystems. The park protects and interprets diverse resources including arctic sand dunes, archeological sites, and subsistence resources.

SIGNIFICANCE STATEMENTS

1. Kobuk Valley National Park preserves the environmental integrity and interprets the ecosystems of the Kobuk River watershed.

2. Kobuk Valley National Park preserves, studies and interprets, in cooperation with Alaska Natives, evidence reflecting a continuum of cultural use and adaptation within arctic-interior Alaska, spanning of thousands.

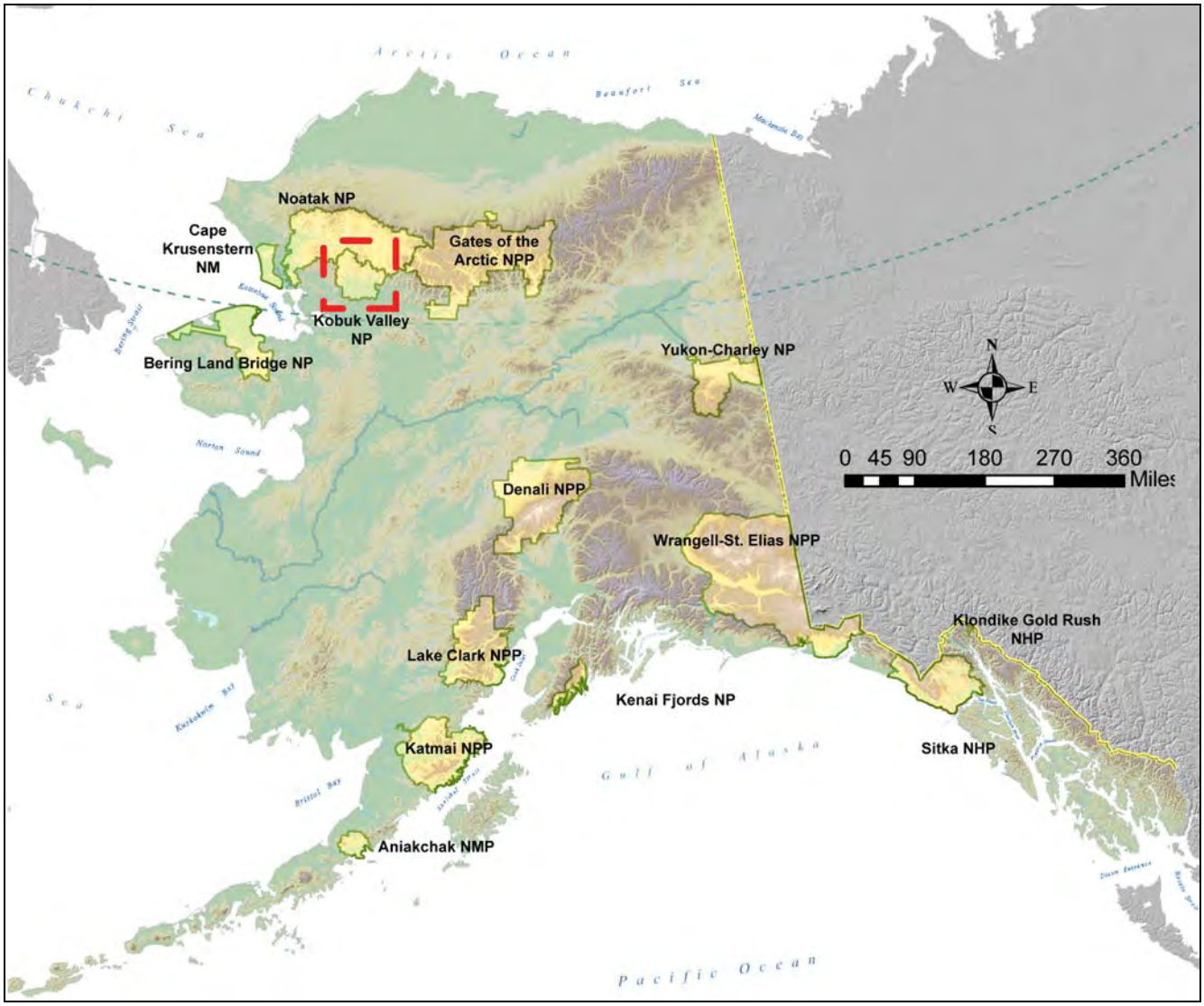
3. Kobuk Valley National Park includes 1. 7 million acres of public land, all of which is eligible or designated Wilderness.

4. Kobuk Valley National Park protects habitat for and populations of birds, fish, and other wildlife typical to both arctic and boreal forest ecosystems in northwest Alaska.

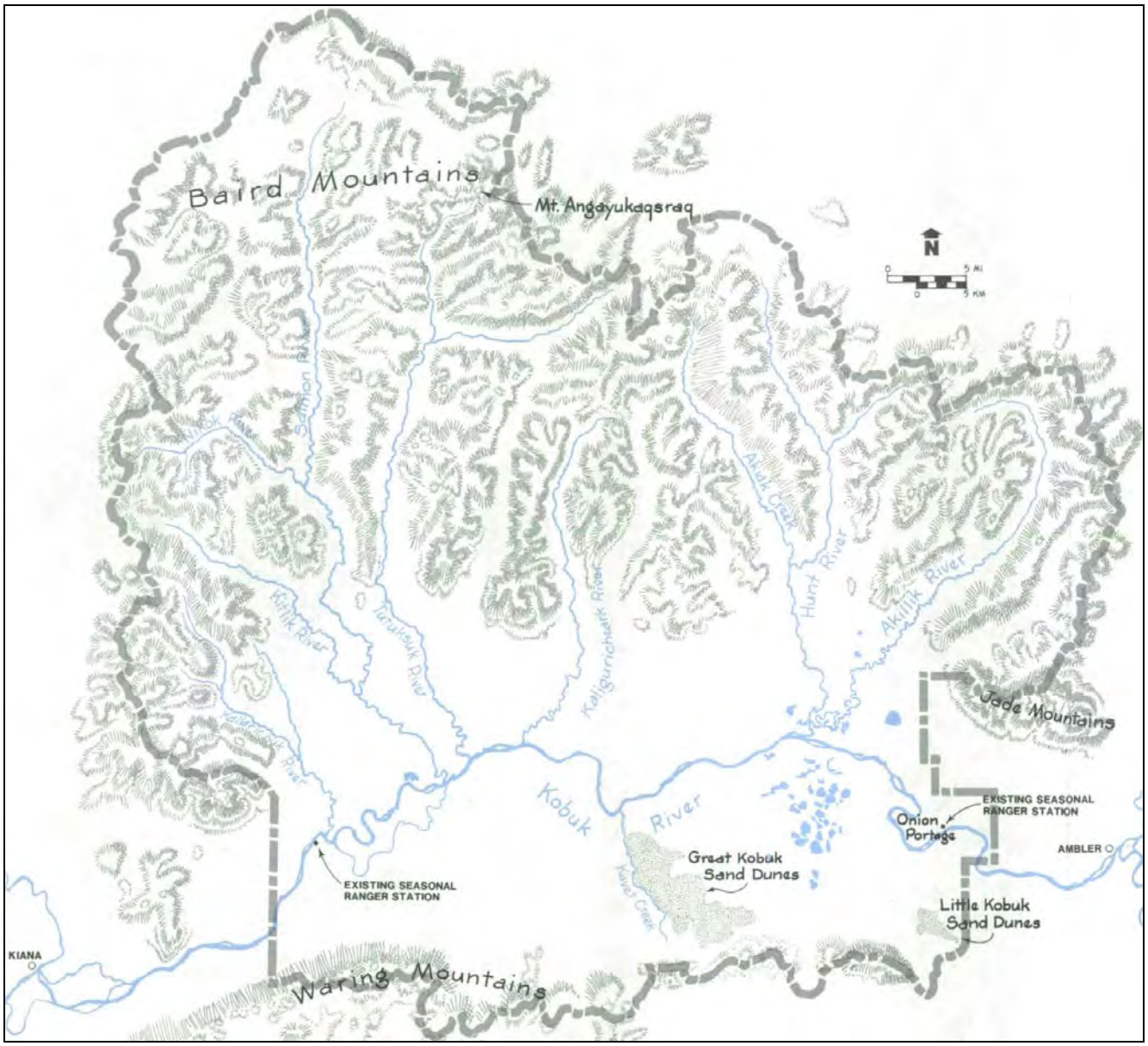
5. The unfettered migratory movement of the Western Arctic Caribou Herd through Kobuk Valley depends on the undeveloped character, vastness and natural resources of Kobuk Valley National Park.

6. Kobuk Valley National Park protects natural resources that provide the opportunity for local rural Alaska residents to engage in customary and traditional subsistence uses.

Location


Arctic Ocean
Chukchi Sea
Beaufort Sea
Noatak NP
Cape Krusenstern NM
Gates of the Arctic NPP
Kobuk Valley NP
Bering Land Bridge NP
Yukon-Charley NP
N
W
E
S
0 45 90 180 270 360
Miles
Denali NPP
Wrangell-St. Elias NPP
Klondike Gold Rush NHP
Lake Clark NPP
Kenai Fjords NP
Katmai NPP
Sitka NHP
Gulf of Alaska
Aniakchak NMP
Pacific Ocean

Park Map


Baird Mountains
Mt. Angayukaqsraq
N
Salmon River
Tutukuk River
Kaligurrichiark River
Akuk Creek
Hunt River
Akillik River
Kuthik River
Jade Mountains
Kobuk
River
Great Kobuk Sand Dunes
Kavet Creek
Onion Portage
EXISTING SEASONAL RANGER STATION
AMBLER
Little Kobuk Sand Dunes
EXISTING SEASONAL RANGER STATION
KIANA
Waring Mountains

Park Purpose

The purpose of Kobuk Valley National Park is to maintain the environmental integrity of boreal forest, montane, and riverine ecosystems. The park protects and interprets diverse resources including arctic sand dunes, archeological sites, and subsistence resources.

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 environmental integrity of the natural features of the Kobuk River Valley, including the Kobuk, Salmon, and other rivers, the boreal forest, and the Great Kobuk Sand Dunes, in an undeveloped state;
- to protect and interpret, in cooperation with Native Alaskans, archeological sites associated with Native cultures;
- to protect migration routes for the Arctic caribou herd; to protect habitat for, and populations of, fish and wildlife including but not limited to caribou, moose, black and grizzly bears, wolves, and waterfowl;
- and to protect the viability of subsistence resources.

Birch baskets are a tradition craft of the Kobuk River region.

Arctic Ecosystems

SIGNIFICANCE STATEMENT

Kobuk Valley National Park preserves the environmental integrity and interprets the ecosystems of the Kobuk River watershed.

FUNDAMENTAL RESOURCES AND VALUES

- **Sand Dunes**
  The Great Kobuk, Little Kobuk, and Hunt River Sand Dunes comprise the largest active dune fields in Arctic North America.

- **Plant Communities**
  The Park contains an unusually wide variety of vegetation types, ranging from arctic wetlands, tundra, and boreal forests to relic sand dune assemblages and plant communities. The sand dunes host *Oxytropis kobukensis*, a narrowly endemic species restricted to a 25-mile stretch of the Kobuk River corridor.

- **Rivers**
  The Kobuk River and tributaries form one of the great river systems of the northwest arctic. They provide habitat for riparian species and are rich with salmon, whitefish, and sheefish.

- **Wildlife**
  The park contains fur-bearing mammals, including overlapping populations of brown and black bears, migratory routes for the Western Arctic Caribou Herd, and critical nesting habitat for waterfowl, shorebirds, and raptors.

- **Air**
  The Clean Air Act designates Kobuk Valley National Park as a Class II air quality area ensuring protection of air resources and maintenance of air quality.

- **Education**
  Park staff will facilitate public understanding, appreciation, and protection of all the elements of the ecosystem.

The Great Kobuk Sand Dunes.

PRIMARY INTERPRETIVE THEME

Kobuk Valley National Park preserves a dynamic landscape of Arctic and sub-Arctic terrain, landforms, and wildlife.

Cultural Resources

SIGNIFICANCE STATEMENT

Kobuk Valley National Park preserves, studies and interprets, in cooperation with Alaska Natives, evidence reflecting a continuum of cultural use and adaptation within arctic-interior Alaska, spanning of thousands.

FUNDAMENTAL RESOURCES AND VALUES

- **National Historic Landmark**
  The stratigraphic sequence represented at Onion Portage Archeological District serves as the principal model regarding temporal, technological and cultural change throughout arctic Alaska

- **Archaeological Sites**
  The park contributes to the preservation of nationally significant archeological sites that embody up to 12,500 years of arctic-interior prehistory.

- **Historic Resources**
  The park contains historic resources related to habitation, subsistence, mining, exploration, and research.

- **Ethnography**
  Staff work in collaboration with local peoples to document their historic and continuing presence on the land and foster the transmission of cultural knowledge and values associated with resources and features of the park.

- **Museum Collections**
  The park preserves a collection of artifacts, archives, and specimens documenting the natural and cultural history of the area.

- **Fossils**
  There is great potential to discover paleontological resources, which contribute to the understanding of climatic cycles, past environmental conditions, and the spread of life forms within the arctic-interior.

- **Scientific Study**
  The park provides for the scientific study of human migration as well
  as related natural processes influencing cultural adaptation.

- **Education**
  Staff and researchers facilitate development of educational materials for a wide range of audiences, highlighting aspects of the natural and cultural history of the park.

An archeological excavation at Onion Portage. (Brown University)

PRIMARY INTERPRETIVE THEME

People have been an integral and continuous part of Kobuk Valley natural ecosystems for the past 12,500 years.

Wilderness Character

SIGNIFICANCE STATEMENT

Kobuk Valley National Park includes 1. 7 million acres of public land, all of which is eligible or designated Wilderness.

FUNDAMENTAL RESOURCES AND VALUES

- **Designated Wilderness**
  The park contains 190,000 acres of designated Wilderness contiguous to the 240,000 acres of designated Wilderness in Selawik National Wildlife Refuge.

- **Wilderness Experience**
  The park provides opportunities for solitude, inspiration, and exploration.

- **Salmon River**
  The park contains the Salmon River, a designated Wild River that is clear, remote, and free flowing.

- **Vastness**
  Kobuk Valley National Park protects vast natural landscapes in an undeveloped and untrammeled state.

- **Natural Soundscapes**
  The park's landscapes are dominated by natural sounds.

- **Education**
  Park Staff will facilitate public understanding, appreciation, and protection of wilderness values and physical features.

The upper Salmon River, a designated Wild River.

PRIMARY INTERPRETIVE THEME

Kobuk Valley National Park is among the largest, the wildest, and the most free from human influences and intrusions of all National Park System units.

Fish, Wildlife, and Habitat

SIGNIFICANCE STATEMENT

Kobuk Valley National Park protects habitat for and populations of birds, fish, and other wildlife typical to both arctic and boreal forest ecosystems in northwest Alaska.

FUNDAMENTAL RESOURCES AND VALUES

- **Fish and Wildlife**
  Kobuk Valley National Park includes a range of boreal and arctic habitats supporting populations of fauna including black bear, brown bear, moose, caribou, wolf, wood frogs, peregrine falcon, sheefish, whitefish, and salmon.

- **Plant Communities**
  Kobuk Valley National Park contains an unusually wide variety of vegetation types ranging from arctic wetlands, tundra, and boreal forests to relict sand dune assemblages and alpine communities. The sand dunes are host to *Oxytropis kobukensis*, a narrowly endemic species restricted to a 25-mile stretch of the Kobuk River corridor.

- **Research and Monitoring**
  Kobuk Valley National Park fosters opportunities for a variety of research and monitoring activities related to wildlife and habitats. These scientific endeavors greatly aid our understanding of the functioning of these systems and facilitate informed and effective management strategies.

- **Education and Outreach**
  Through interpretation, park staff facilitate public understanding and appreciation of fish, wildlife, habitats, and management of diverse northwest Alaska ecosystems.

Wood frog – Rana sylvatica.

PRIMARY INTERPRETIVE THEME

Kobuk Valley National Park protects a 1.7 million acre landscape, part of a framework for protecting a vast array of wildlands in northwest Alaska.

Caribou Migration

SIGNIFICANCE STATEMENT

The unfettered migratory movement of the Western Arctic Caribou Herd through Kobuk Valley depends on the undeveloped character, vastness and natural resources of Kobuk Valley National Park.

FUNDAMENTAL RESOURCES AND VALUES

- **Western Arctic Caribou Herd**
  The seasonal movements of the Western Arctic Caribou Herd are a cultural keystone for local subsistence users.

- **Caribou Migration**
  Kobuk Valley National Park is centrally located along the Western Arctic Caribou Herd migration route, one of the longest for large terrestrial mammals in North America.

- **Interagency Working Group**
  Kobuk Valley National Park supports and participates in the Western Arctic Caribou Herd Working Group, a cooperative effort among managers, researchers, and subsistence users.

- **Education**
  Park staff will facilitate public understanding, appreciation, and protection of the environmental elements that support the caribou migration.

Caribou crossing the Kobuk River in autumn.

PRIMARY INTERPRETIVE THEME

Kobuk Valley National Park is a vast landscape that supports the wild roaming of the Western Arctic Caribou Herd.

Subsistence

SIGNIFICANCE STATEMENT

Kobuk Valley National Park protects natural resources that provide the opportunity for local rural Alaska residents to engage in customary and traditional subsistence uses.

FUNDAMENTAL RESOURCES AND VALUES

- **Healthy Aquatic Systems**
  The park contains a variety of fresh water systems important to natural and healthy fish and waterfowl populations.

- **Subsistence Resources**
  The park preserves a variety of wildlife, fish, and plants, allowing residents to hunt, trap, fish and gather these resources in the continuation of their traditions and culture.

- **Migration Routes**
  The park protects a significant section of the migration route of the Western Arctic Caribou Herd that is essential for subsistence users.

- **Cultural Knowledge**
  The park staff works collaboratively with local residents to document subsistence practices and values to preserve the knowledge of the continuation of the subsistence lifestyle and inform management decisions.

- **Education**
  The park staff facilitates the public understanding and appreciation of subsistence resources and the management and use of those resources.

Drying whitefish along the Kobuk River.

PRIMARY INTERPRETIVE THEME

Local residents depend on the use of the park resources as the foundation of their subsistence way of life.

Special Mandates and Administrative Commitments

- **Onion Portage Archeological District, Kobuk River – National Historic Landmark**
  National Register Number: 72000191, Resource Type: District, Property Type: Domestic – Camp, Designated: June 2, 1978
  For thousands of years, vast numbers of caribou have passed through this area on their seasonal migrations between tundra and taiga. Drawn by these herds, hunters, both ancient and modern, have stationed themselves at the vantage point afforded by the site's location to await their coming. Within the archeological district is the deeply stratified Onion Portage site proper, where archeologists excavated nine cultural complexes, ranging from the Akmak Complex (ca. 8,000-6,500 BC) to the Arctic Woodland Eskimo (ca. 1000-1700 AD). The stratigraphic sequence found at Onion Portage has been the model used by archeologists in establishing a cultural chronology for the region.

Participants

Western Arctic National Parklands

Ken Adkisson, Subsistence Manager
Eileen Devinney, Chief of Cultural Resources
Linda Hasselbach, Ecologist
George Helfrich, Superintendent
Michael Holt, Archaeologist
Linda Jeschke, Chief of Interpretation
Marci Johnson, Biologist
Jim Lawler, ARCN
David Marshall, Administrative Officer
Peter Neitlich. Ecologist
Dan Stevenson, Chief Ranger
Charles Olin, Information Technology Specialist
Larry Weddle, Alaska Western Area Fire Management Officer

Denali National Park and Preserve

Steve Carwile, Compliance Program Manager

Alaska Regional Office

Zach Babb, Planner
Joan Darnell, Team Manager, Environmental Planning and Compliance

Denver Service Center

Stephan Nofield, Senior Planner

Appendix A – Legislation

Appendix A includes selected excerpts from ANILCA that are most relevant for the day to day management of Kobuk Valley National Park.

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 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

(6) Kobuk Valley National Park, containing approximately one million seven hundred and ten thousand acres of Public lands as generally depicted on map numbered KOVA-90,009, and dated October 1979. The park shall be managed for the following purposes, among others: To maintain the environmental integrity of the natural features of the Kobuk River Valley, including the Kobuk, Salmon, and other rivers, the boreal forest, and the Great Kobuk Sand Dunes, in an undeveloped state; to protect and interpret, in cooperation with Native Alaskans, archeological sites associated with Native cultures; to protect migration routes for the Arctic caribou herd; to protect habitat for, and populations of, fish and wildlife including but not limited to caribou, moose, black and grizzly bears, wolves, and waterfowl; and to protect the viability of subsistence resources. Subsistence uses by local residents shall be permitted in the park in accordance with the provisions of title VIII. Except at such times when, and locations where, to do so would be inconsistent with the purposes of the park, the Secretary shall permit aircraft to continue to land at sites in the upper Salmon River watershed.

* * * * * * *

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:

"(35) SALMON, ALASKA.—That portion within the Kobuk Valley 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:

(5) Kobuk Valley Wilderness of approximately one hundred and ninety 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.

* * * * * * *

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.

* * * * * * *

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.

* * * * * * *

PARK AND PARK MONUMENT SUBSISTENCE RESOURCE COMMISSIONS

SEC. 808. (a) Within one year from the date of enactment of this Act the Secretary and the Governor shall each appoint three members to a subsistence resources commission for each national park or park monument within which subsistence uses are permitted by this Act. The regional advisory council established pursuant to section 805 which has jurisdiction within the area in which the park or park monument is located shall appoint three members to the commission each of whom is a member of either the regional advisory council or a local advisory committee within the region and also engages in subsistence uses within the park or park monument. Within eighteen months from the date of enactment of this Act, each commission shall devise and recommend to the Secretary and the Governor a program for subsistence hunting within the park or park monument. Such program shall be prepared using technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly or separately by the technical and administrative personnel of the State and the Department of the Interior, information submitted by, and after consultation with the appropriate local advisory committees and regional advisory councils, and any testimony received in a public hearing or hearings held by the commission prior to preparation of the plan at a convenient location or locations in the vicinity of the park or park monument. Each year thereafter, the commission, after consultation with the appropriate local committees and regional councils, considering all relevant data and holding one or more additional hearings in the vicinity of the park or park monument, shall make recommendations to the Secretary and the Governor for any changes in the program or its implementation which the commission deems necessary.

(b)The Secretary shall 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. Upon notification by the Governor, the Secretary shall take no action on a submission of a commission for sixty days during which period he shall consider any proposed changes in the program or recommendations submitted by the commission which the Governor provides him.

(c) Pending the implementation of a program under subsection (a) of this section, the Secretary shall permit subsistence uses by local residents in accordance with the provisions of this title and other applicable Federal and State law.

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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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ARCHEOLOGICAL AND PALEONTOLOGICAL SITES

SEC. 1304. Notwithstanding any acreage or boundary limitations contained in this Act with respect to the Cape Krusenstern National Monument, the Bering Land Bridge National Preserve, the Yukon-Charley Rivers National Preserve, and the Kobuk Valley National Park, the Secretary may designate Federal lands or he may acquire by purchase with the

consent of the owner, donation, or exchange any significant archeological or paleontological site in Alaska located outside of the boundaries of such areas and containing resources which are closely associated with any such area. If any such site is so designated or acquired, it shall be included in and managed as part of such area. Not more than seven thousand five hundred acres of land may be designated or acquired under this section for inclusion in any single area. Before designation or acquisition of any property in excess of one hundred acres under the provisions of this section, the Secretary shall—

(1) submit notice of such proposed designation or acquisition to the appropriate committees of the Congress; and

(2) publish notice of such proposed designation or acquisition in the Federal Register.

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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 Kobuk Valley National Park.

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Kobuk Valley National Park

By the President of the United States of America

A Proclamation

The Kobuk Valley and its environs, an area located in the northwest interior of Alaska, contains important archeological data and biological and geological features of great scientific significance.

Archeological features within the area illustrate an unbroken continuum of human adaptation to the natural environment from the early pre-Eskimo people of 10,500 years ago to present-day local residents. Scientists recently discovered more than 100 dwellings occupied in about 1250 A.D., comprising the largest settlement of its kind. The Onion Portage Archeological District is located within the area, and is listed on the National Register of Historic Places. Archeological research at Onion Portage has yielded. evidence of more than 10,000 years of human occupation.

The area contains the Great and Little Kobuk Sand Dunes, which lie north of the Arctic Circle and include both active and stabilized dunes. Scientific studies of the dunes show them to be older than 33,000 years, and several plants have been found in association with the dunes environment which are scientifically unusual in the area. The Great Kobuk Sand Dunes attain a height of 100 feet.

The inclusion of the watersheds on the north and south of the Kobuk River protects a uniquely representative series of interrelated plant communities. There is here an essentially unspoiled laboratory for the study of the northern boreal forest. A rich variety of wildlife also occurs within the area. Major portions of the northwest arctic caribou herd move through the area in spring and fall migrations. The area also includes one of only two significant populations of the Alaskan sheefish. The water environment is habitat for nesting waterfowl, moose, and muskrat. A relatively dense population of grizzly and black bears, wolf, wolverine, fox, otter, and other northern furbearing mammals range over the entire area.

The land withdrawn and reserved by this Proclamation for the protection of the archeological, geological, biological, 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 on subsistence hunting, and its availability for study, enhances the historic and scientific values of the natural objects protected herein because of the ongoing interaction of the subsistence culture with these objects. Accordingly, the opportunity for local residents to engage in subsistence hunting is one of the values to be protected and will continue under 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 Kobuk Valley 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 Kobuk Valley National Monument on the map numbered KOVA-90,010 attached to and forming a part of this Proclamation. The area reserved consists of approximately 1,710,000 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 under 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