

# **Concluding Remarks**

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The Office of Technology Assessment (OTA) was asked to assess the effects of Federal laws, policies, and practices on access through Federal lands to non-Federal mineral-bearing lands. The decision of whether or not to allow Federal lands to be used for access requires the balancing of competing interests and values. In Alaska these values include wilderness preservation, resource development, and the subsistence culture of the Native peoples.

This report summarizes and analyzes the laws governing Federal land management systems, the laws specifically applicable to Alaskan lands, and the major environmental and land-planning laws that affect access across Federal land management systems. It also presents a variety of options or policy alternatives for congressional consideration. These options represent a range of alternatives for dealing with access policy in Alaska. These options describe alternative approaches to the access issues associated with the proposed additions to national conservation systems called for by section 17(d)(2) of the Alaska Native Claims Settlement Act.

It would be possible to develop a number of variations and combinations of the policy options described in this document. Other pro-

posals for the management of Alaska lands and a variety of access policies have been presented in various congressional bills, in the recommendations of Federal executive departments and agencies, in the documents of the Federal-State Land Use Planning Commission for Alaska, and in other sources.

The laws governing access through protected lands constitute only one of the components of an access decision. Political, social, economic, and environmental considerations must also be taken into account. An access policy decision will clarify the terms and conditions under which access can be approved for applicants and land managers alike.

The access options developed for this report apply to Alaska where access across Federal lands is an issue of widespread concern. The absence of access options for Federal lands in other States should not be interpreted as meaning that no problems exist outside Alaska. In assessing the effects of Federal laws on access to minerals on non-Federal lands, OTA conducted interviews in Alaska, Arizona, Colorado, Wyoming, North Carolina, and other States.<sup>1</sup> Based on OTA interviews

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<sup>1</sup>Appendix C contains a list of persons and groups interviewed and a list of consultant and contractor reports.

and contractor studies, it appears that there are few non-Federal minerals access problems related to Federal landownership and regional transportation patterns in States other than Alaska. These interviews included representatives of the mining industry, of local governments, of environmental and conservation groups, and of other interests. The

**Many of those interviewed did, however, express concern that Federal land management agency practices sometimes caused access-related problems, ("Practices" means the actions of Federal officials when implementing Federal laws, policies, and regulations.) Examples of practice-related problems are delays in processing and reviewing of permit applications and complying with overlapping or duplicative licensing and reporting requirements of Federal and State agencies. Other interviewees asserted that the**

interviews disclosed no instances where mineral development on non-Federal land was prevented by the denial of access across Federal lands. Most non-Federal mineral areas outside of Alaska are adequately served by existing transportation networks and rights-of-way.<sup>2</sup>

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**management and land use policies for Federal lands could affect mineral activities on non-Federal lands, A study of the environmental and economic conflicts between Federal lands and adjacent non-Federal lands is being prepared by the Conservation Foundation with grants from the National Science Foundation and several Federal land management agencies. This report, *Neighbors: Conflicts and Opportunities*, will be available in early 1979.**