

3. Substantive Comments

This section provides substantive comments received on the Draft Revised Plan and Draft EIS. The Service’s responses will be published with the Revised Plan and Final EIS. The comments were organized into 52 topic areas. Within each topic heading, several sub-topics are also identified. Table 7 lists where specific comment topics can be found.

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3.1 TOPIC: Air Quality

3.1.1 Baseline Conditions

Comment 136801.072

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.10.2 Air Quality

p. 2-47. Class I air quality classification should be sought at least for the designated Wilderness of the Arctic Refuge. What consultations with the Service's Air Quality Branch have been made in the past 22 years since the last CCP in 1988?

Comment 000234.001

Dan Shorb

This area should be utilized by keeping its 'carbon sink' capabilities for clean and healthy air. Remember, the Amazon Jungle is one of the largest carbon 'sinks' in the world, but it is being deforested rapidly. This is hugely affecting the amount of carbon in the atmosphere (it just doesn't get absorbed). This Alaskan version of the carbon sink, we can still save (and utilize its Carbon absorption capabilities). This carbon 'sink' piece alone makes it worth protecting (not just for future generations, but for us, now). (see here: <http://www.sciencemag.org/content/333/6045/988.full>)

3.1.2 Cumulative Effects

Comment 136973.001

Betsy Kelson

Be sure to address the potential for incremental air quality degradation (PSD Class I designation under the Clean Air Act) from the aggregate of industrial activities within 100 km of the Arctic Refuge, so that it does not have an impact like we used to or currently see at the Grand Canyon, Rocky Mountain National Park, Yosemite (all Class I areas) and other national parks and wildlife refuges. The Arctic Refuge is not currently designated as Class I, but it should be.

Comment 136997.001

Greg Scott

If part of the Arctic Refuge, or nearby areas on-land or off-shore, were developed, the infrastructure necessary to produce and transport oil to market would devastate the rest of the wilderness area with all forms of pollution; air, water, hazardous wastes. In order to prevent that, at least for air pollution, the entire Refuge should be designated as a Class I area under the Prevention of Significant Deterioration regulations (PSD, Clean Air Act (40CFR51, 52, 81). The Refuge meets the criteria for a Class I area (size, pristine air quality, wildness, limited historic human impact) and should be protected in the future by such designation. While Class I designation ultimately requires an act of Congress, as does the administrative act of designating wilderness (under the 1964 Wilderness Act), it would protect the area from massive degradation of air quality, including in the interim while the designation is being considered by the Fish and Wildlife Service, and is therefore, consistent with wilderness management under the CCP. Wilderness recommendation and the proposal to designate the Refuge as a Class I area are the two most important regulatory steps that

FWS can take to protect the wilderness character and values of the Arctic National Wildlife Refuge today.

3.2 TOPIC: Alternatives - Issues Considered but Eliminated

3.2.1 Ecological Issues

Comment 137013.015

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

D.3.2 Issue of Hunting effects on Population Structures and Genetics. Refuge biologists think that trophy hunting and "...all forms of hunting (and fishing) could potentially have an effect on population structures and the genetics of animal populations on the Refuge." The staff has decided "to consider studying the issue through the Refuge's inventory and monitoring (I & M) or research plans."

Given the decline in caribou, sheep, muskoxen, and moose in the last two decades (4-119), a decision to merely consider studying the issue is a weak response. We recommend that the Refuge give high priority to research designed to determine if sport (trophy) is having negative effects on genetic makeup and population structures, and whether the effects, if any, could be contributing to the decline in the populations of these animals.

Comment 000017.007

Wilderness Watch - Full

In Appendix D, 3.2 the issue of trophy hunting altering the genetic structure of Dall Sheep and perhaps other species is relegated to a "consider studying" category. It should be addressed in the plan because the refuge's mandate to protect biodiversity includes genetic compositions and thus requires action.

Comment 136985.004

Susan Morgan

The Refuge is mandated to preserve biodiversity, so restriction of trophy hunting of Dall sheep and other species should be included in this draft and not deferred for further study.

3.2.2 Management Issues

Comment 136794.008

**Bill Iverson, President
Alaska Outdoor Council**

-----Preamble/Intro-----

The Alaska Outdoor Council (AOC) recommends that the Service withdraw their draft ANWR CCP/EIS and submit a draft that would be consistent with NEPA regulations regarding the study, development, and submission of appropriate alternatives to recommend a course of action which could resolve conflicts concerning alternative uses of available resources within ANWR.

-----Comment-----

5. AOC recommends that an Alternative Management Plan that would encourage hunting, fishing, boating, snowmobiling, wildlife observation and photography on the Refuge be added to the Alternative list, and then made available for public comment.

Comment 136805.099
Sean Parnell, Governor
State of Alaska

Page 3-6, § 3.1.2 Issues Considered but Eliminated from Detailed Study, fourth paragraph, last sentence. As it applies to various areas, including the Refuge's three existing wild rivers designated by ANILCA that do not have identified ORVs, the draft Plan states .existing management, in combination with Refuge purposes, affords a high degree to protection for the features and values in these specially designated area and that no further additional management guidance is needed.. We agree with this statement, which calls into the question the very need to conduct a study or recommend additional wild and scenic rivers on the Refuge. As we stated in our November 12, 2010 comments on the Wild and Scenic River Eligibility Report:

The Refuge already has the administrative means to provide adequate resource protection for all river corridors within its boundaries. Several rivers are also within existing designated wilderness or wilderness study areas, which are far more restrictive forms of management. Given the Refuge's extreme remoteness, expansive size (19 million acres) and limited seasonal visitor use, there is no existing or anticipated .threat. to any of the rivers, especially the largest potential threat identified in the Report – public use.

Comment 136805.100
Sean Parnell, Governor
State of Alaska

Page 3-7, § 3.1.3.1 Wilderness Actions not in the Alternatives. See general comment regarding establishment of WSAs. This section discusses land and water buffer areas near Arctic Village and Kaktovik. It is unclear why these areas, which appear to be excluded from the wilderness recommendation, were included in the Wilderness Review (Appendix H) but not included in any of the descriptions or maps associated with recommended wilderness in Chapter 3.

Comment 000017.008
Wilderness Watch - Full

Regarding Appendix D.4.1, the issue of conflict between wilderness values and science-related technologies should be addressed in the plan because it is escalating and not adequately resolved by the current MRA process.

Comment 136985.006
Susan Morgan

Conflict between wilderness values and science-related technologies: This escalating conflict is not adequately resolved by the current MRA process and should be addressed in the CCP.

Comment 136993.006
Julie RaymondYakoubian

In Appendix D 4.1 conflict between wilderness values and science-related technologies should be further addressed in the final CCP. The current MRA process does not adequately resolve this growing issue

3.2.3 Oil and Gas Development

Comment 136820.026

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The final CCP should acknowledge and support the continuation of the existing prohibitions on oil and gas, leasing, development, and production of KIC and ASRC lands. Because all of these points are based in law, see ANILCA Section 1003, these prohibitions cannot be changed.

Comment 136809.001

**William C. Reffalt, Vice President and Issues Coordinator
Blue Goose Alliance**

-----Preamble/Intro-----

Comments Directed to Specific Planning Issues

Beyond that summary and brief explanation, the Alliance herein offers a number of observations and comments regarding sections of the CCP that we believe have need of improved explanations or corrections to inadequate presentations in the current draft. We offer these in the spirit of assisting Refuge personnel in making the final CCP as informative, factual and friendly to the reader as possible. The CCP document is obviously a complex compilation of factual materials and explanations of intended future management protocols which includes compliance with the regulations of the Council on Environmental Quality regarding Environmental Impact Statements and public outreach.

-----Comment-----

I. The so-called “no more clauses”.

A. Section 101(d): The discussions in the draft document (Chapter 3, Section 1.3 and Appendix D, Section 2.1) pertaining to this perceived policy issue are inaccurate and incomplete. Given that the FWS believes this to be an important “policy issue”, it is important that the text accurately presents and explains it.

Section 101(d) is primarily addressed to potential future Congressional actions rather than the Executive. The final clause in the legislative language states: “...and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.”

In fact, the statement has little legal or legislative effect. It is a statement of a “sense of the 96th Congress” made on December 2, 1980, however it is a precept of Congress that no single congress has power to bind or prevent a future Congress’ decision to pass legislation. Time passes and things change, therefore conditions may bring fresh need or even urgency for actions by congress. Now, 31 years since passage of ANILCA, the current or any future congress may decide to create new conservation system units without in any way violating the statement made by the 96th Congress in Section 101(d).

As verification of these statements, I refer refuge staff to Section 102(4) of ANILCA—the definition of conservation system unit: “The term “conservation system unit” means any unit in Alaska of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, National Wilderness Preservation System, or a National Forest Monument including existing units, units established, designated, or expanded by or under the provisions of this Act, additions to such units, and any such unit established, designated or expanded hereafter.”

(Emphasis added)

If the same 96th Congress that postulated the conditions expressed in Section 101 (d) and the

provisions discussed below did not contemplate that some future Congress might pass legislation to create one or more new conservation units or to expand such units then it would not have had need to include the provisions regarding future additions or units established “hereafter”. The explanation in the CCP should recognize that 101(d) neither is directly addressed to the Executive Branch nor generally affects its interactions with future congresses. 101(d) should be quoted in full in an Appendix of the CCP and limits of its reach explained.

Comment 136801.089
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The final CCP should acknowledge and support the continuation of the existing prohibitions on oil and gas, leasing, development, and production of KIC and ASRC lands. Because all of these points are based in law, see e.g., ANILCA Section 1003, these prohibitions cannot be changed. Further, Section D.6.3 should characterize the types of private lands that exist inside the Arctic Refuge boundary, and explicitly note the ANCSA Section 22g authority that the FWS has to influence activities on those lands.

Comment 136795.005
David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection

We urge the FWS to monitor the impacts that oil and gas activities outside the Refuge boundaries have on the Refuge, its wildlife populations, and the importance of its habitat to arctic wildlife populations.

Comment 137014.022
Dan Ritzman, Alaska Program Director
Sierra Club

The final CCP should acknowledge and support the continuation of the existing prohibitions on oil and gas, leasing, development, and production of KIC and ASRC lands. Because all of these points are based in law, see e.g., ANILCA Section 1003, these prohibitions cannot be changed.

Comment 136805.098
Sean Parnell, Governor
State of Alaska

Page 3-6, § 3.1.2 Issues Considered but Eliminated from Detailed Study, second paragraph. According to USFWS policy (602 FW 3), the purpose of developing a CCP is to provide refuge managers with a long-term management plan. As stated in the introduction to this CCP/EIS, “The purpose of this planning process is to develop a Revised Plan for the Arctic Refuge to provide management direction for the next 15 years.” It is possible that Congress may authorize oil and gas leasing and production in the Arctic Refuge within the timeframe of this document. Therefore, to fulfill the purpose and need of this CCP to provide management direction for the Refuge, an advanced analysis of management guidelines for oil and gas exploration, leasing and production should be considered in an alternative. While the Service does not have the authority to open the 1002 Area to oil and gas leasing, it has the responsibility to manage the effects of such a program when authorized by Congress. Additionally, the Service has ample administrative authority over oil

and gas development on other lands it manages and may apply those authorities to the Arctic Refuge once directed to by Congress.

Comment 136805.143
Sean Parnell, Governor
State of Alaska

Page D-1, § D.1 Development Issues. We strongly oppose the exclusion of oil and gas development scenarios in the alternatives evaluated in this Plan. The Council of Environmental Quality, in guidance issued regarding NEPA analysis of alternatives maintains that alternatives that are outside of the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. Oil and gas development and production in the Refuge may be authorized by Congress at any time, and the current national dialogue regarding the need for jobs, energy security, and deficit reduction makes the likelihood of such an action higher than ever before. It is reasonable to anticipate that Congress may act to open the 1002 Area to oil and gas development, and therefore including an effect analysis would support the purpose and need of the Revised Plan, as stated in Chapter 1, toprovide management direction for the next 15 years..

In addition, the exclusion of considering oil and gas development is inconsistent with the direction given in ANILCA Section 304(g), and is also inconsistent with the other actions considered in this Plan, namely the recommendations for wilderness and wild and scenic river designations, which are also dependent on Congressional action.

Comment 136805.144
Sean Parnell, Governor
State of Alaska

Page D-1, § D.1.1 Oil and Gas Development. ANILCA and NEPA require that the Plan address oil and gas exploration and potential oil and gas development and production in the 1002 area. Section 1002 of ANILCA explicitly identifies the oil and gas resources of the coastal plain, and directs that the Secretary study the role of oil and gas development in the area and make recommendations regarding it to Congress. By singling the coastal plain out for special study based on its oil and gas potential, Congress has identified oil and gas development and production as a potential purpose of the Refuge. In 1987 the Secretary recommended that section 1003 of ANILCA be repealed, and that the 1002 area be opened to oil and gas development and production. The statement that .[t]here is nothing in the Refuge's purposes . . . that requires the Service to consider or propose development and utilization scenarios for natural resources, such as oil and gas, as part of the comprehensive conservation planning process. is inaccurate. Congress has directed that the oil and gas resources of the coastal plain be evaluated and that the planning effort for the Refuge consider these values. While it is true that the final decision regarding oil and gas development in the Refuge rests with Congress; so does the final decision regarding any further wilderness reviews.

Comment 136803.005
Lisa Murkowski, Senator, Alaska
US Senate

The impacts of Wilderness or WSR designations or recommendations upon future development of both state and federal resources would be substantial and unacceptable. The mere consideration of Wilderness and/or WSR recommendations are already causing substantial administrative burden upon projects on state lands. Specifically, DOI's input to the Draft Environmental Impact Statement

on industrial infrastructure necessary for long-awaited development of the Point Thomson oil and gas leases includes assessment of the 1002 Area's Wilderness values.⁶ This is alarming and unacceptable for two reasons. First, it unmistakably indicates an FWS policy and intention of treating the 1002 Area as a designated Wilderness area absent either a recommendation as such, much less a Congressional designation as such. This, if manifested, would amount to a de-facto Wilderness designation of the 1002 Area and therefore a violation of both multiple statutes and the Constitution's Property Clause. Secondly, the application of Wilderness considerations over state lands amply demonstrates that an expansive bureaucratic footprint can extend from existing Wilderness areas, straight through non-Wilderness areas, and finally into non-federally held property. Such a heavy-handed interpretation of the law would create essentially unlimited buffer-zones around Wilderness areas and, if applied in one region, would enjoy precedent sufficient for zealous administrators to apply throughout the nation's Wilderness system. The legal and political backlash from such a policy would jeopardize the entire legacy of and potential for protected lands throughout the Nation and forestall future Congressional willingness to grant additional Wilderness, WSR, or other conservation units. As FWS is well aware, ANWR's estimated oil reserves amount to between 5.7 billion barrels and 16.0 billion barrels, with potential federal revenues of between \$84.6B and \$237.5B at current prices.⁷ A unilateral administrative recommendation to sterilize this commonly-owned resource is entirely inappropriate and cannot be rationalized against the existing opportunities which Alaska's massive Wilderness areas already offer for the Act's purposes. Such a recommendation also cannot be rationalized against the President's concession that "Part of the reason oil companies are drilling a mile beneath the surface of the ocean – because we're running out of places to drill on land and in shallow water."⁸ To the extent this trend is viewed by the Administration as a negative one, it is irreconcilable with the administrative treatment of the largest estimated oilfield on the continent as an area that should be shut off to that resource's development. The management of the 1002 Area must therefore be consistent with the prospect of future oil and gas development, allowing for continuing study for this purpose including updated resource inventory and analysis. Should Congress make a decision to escalate or de-escalate the likelihood of such development, then and only then may FWS take steps to advance such disposition. To do so prematurely would defy Congress, the Constitution, and the U.S. taxpayer.

3.2.4 Other Issues

Comment 136820.027

**Cindy Shogan, Executive Director
Alaska Wilderness League**

Section D.6.3 should characterize the types of private lands that exist inside the Arctic Refuge boundary, and explicitly note the ANCSA Section 22g authority that the FWS has to influence activities on those lands.

Comment 136801.088

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

the last clause in footnote 2 to Table D-1 (DEIS at D-19) should be changed to state "issue is one of policy or law" as the current language suggests that there may be more discretion than actually exists on these issues.

Comment 137014.021
Dan Ritzman, Alaska Program Director
Sierra Club

the last clause in footnote 2 to Table D-1 (DEIS at D-19) should be changed to state “issue is one of policy or law” as the current language suggests that there may be more discretion than actually exists on these issues.

Comment 137014.023
Dan Ritzman, Alaska Program Director
Sierra Club

Section D.6.3 should characterize the types of private lands that exist inside the Arctic Refuge boundary, and explicitly note the ANCSA Section 22g authority that the FWS has to influence activities on those lands.

Comment 000017.009
Wilderness Watch - Full

Regarding Appendix D.6.1, the unsightly administrative buildings on Peters and Big Ram Lakes should be removed. This is a significant issue and should be addressed in the alternatives.

3.2.5 Policy Issues

Comment 136820.025
Cindy Shogan, Executive Director
Alaska Wilderness League

the last clause in footnote 2 to Table D-1 (DEIS at D-19) should be changed to state “issue is one of policy or law” as the current language suggests that there may be more discretion than actually exists on these issues.

Comment 032675.007
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The explanation in Appendix D also misrepresents the purpose of a wilderness review when it states: " a wilderness review is a tool we can use to evaluate whether we are effectively managing the Refuge according to the Refuge's purposes and other legal requirements. " (D-3)

In fact, the Service's own Wilderness Stewardship Policy (Part 610) rebuts this claim when it explains the purpose of a wilderness review:

"A wilderness review is the process we follow to identify and recommend for congressional designation Refuge System lands and waters that merit inclusion in the National Wilderness Preservation System (NWPS)." (610 FW 4.4)

An examination of the remainder of Chapter 4- Wilderness Review and Evaluation - in the Wilderness Stewardship Policy finds no discussion of or guidance for utilizing a wilderness review as a tool to evaluate management of the Arctic Refuge as the explanation in Appendix D claims. The Service has numerous other tools to determine how effectively it is managing this or any other

refuge. The sole purpose of a wilderness review is to determine if an area or areas of a refuge will be recommended for designation as wilderness. A wilderness area is statutorily defined as a conservation system unit. Therefore, any administrative review for the purpose of recommending or creating an additional wilderness in Alaska is a clear violation of ANILCA Section 1326(b). No amount of rationalization or semantical tap-dancing can explain that away.

Comment 032675.008

Stan Leaphart, Executive Director

Citizens' Advisory Commission on Federal Areas

Yet another misinterpretation of ANILCA that we find in Appendix D is the statement that ANILCA Section 1004 requires the Service to manage the wilderness character of the Coastal Plain (1002 Area) and its suitability for inclusion in the National Wilderness Preservation System. This is not accurate and should be corrected in the final CCP.

Section 1004 does in fact require the Secretary of the Interior to review the suitability or non-suitability of the Federallands described in ANILCA Section 1001 for preservation as wilderness. The lands described in Section 1001 include:

"...all Federal lands (other than the submerged lands on the Outer Continental Shelf) in Alaska north of 68 degrees north latitude and east of the western boundary of the National Petroleum Reserve-Alaska, other than lands included in the National Petroleum-Alaska and in conservation system units established by this Act. "

The Arctic National Wildlife Refuge, Gates of the Arctic National Park and Preserve and the Noatak National Preserve were not included in the wilderness study area mandated by Sections 1001 and 1004 by virtue of their status as conservation system units. As such, wilderness reviews of any non-designated lands within those units were to be conducted only under the authority of ANILCA 1317.

Comment 032675.010

Stan Leaphart, Executive Director

Citizens' Advisory Commission on Federal Areas

The statement on page D-3 that ANILCA Section 1004 requires the Service " .. to maintain the wilderness character of the Coastal Plain and its suitability for inclusion in the National Wilderness Preservation System" is incorrect and should be changed. The 1002 Area and its resources are adequately protected under the minimal management category in the current CCP.

Comment 136805.145

Sean Parnell, Governor

State of Alaska

Page D-3, § D.2.1 ANILCA .No More. Clauses, sixth paragraph. ANILCA Section 1004's wilderness review requirement only applies to those lands described in Section 1001, which excludes the Arctic Refuge, including the 1002 Area. Service policy and a Director's memorandum do not trump the prohibitions in section 1326(b) of ANILCA against wilderness and wild and scenic river reviews in Alaska. The draft Plan states that the wilderness reviews are being used as .a tool. for the Service to evaluate whether we are effectively managing the Refuge according to the Refuge's purposes and other legal requirements, including ANILCA Section 1004, which requires the Refuge to maintain the wilderness character of the Coastal Plain and its suitability for inclusion in the National Wilderness Preservation System.. This statement is disingenuous and inaccurate. The Service has other administrative tools available to it to measure the effectiveness of Refuge management, and

the Wilderness Act provides only one purpose for conducting wilderness reviews: to inform recommendations that Congress designate wilderness. Furthermore, section 1004 of ANILCA does not apply to the coastal plain nor to any other part of the Refuge.

Similarly, the Service's argument that wild and scenic river reviews are administrative actions that permit the Service to assess the efficacy of its management in meeting Refuge purposes and other legal requirements, is also disingenuous and inaccurate. The Service has other administrative tools for assessing the efficacy of its management, and the only legal purpose for conducting a wild and scenic river review is to inform recommendations to Congress to add rivers to the National Wild and Scenic Rivers System. Additionally, the Service fails to identify what other legal requirements require a wild and scenic river review.

3.2.6 Visitor Use Issues

Comment 137013.016

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

D-10 Crowding. The Service recognizes that "...crowding is a concern in only a few areas of the Refuge." These areas should be identified in the final Plan and as part of the Refuge's public information program. This information would help visitors seeking a true Alaska wilderness experience to avoid the crowded areas.

Comment 136794.003

**Bill Iverson, President
Alaska Outdoor Council**

Refuge data, draft ANWR CCP/EIS, Chapter 4, 4.4.5 Visitor Use and Recreation, estimates 1,000 to 1,250 visitors to the Refuge per year for the last decade. Of which 90% are supported by commercial concessionaires. None of the draft Alternatives in the CCP/EIS considers ways of reducing: crowding, social conflicts, accumulations of human waste, or site-hardening other than restricting use.

Comment 032625.004

**Nicole Whittington-Evans, Alaska Regional Director
The Wilderness Society**

Polar Bear Viewing in Kaktovik -

D-14; Polar Bear Viewing in Kaktovik – TWS supports the approach USFWS has outlined in the DEIS, D5-12, and believe it is critical that a reputable polar bear viewing program be developed in partnership with local guides and the community of Kaktovik. This type of program is in keeping with the National Wildlife Refuge System Improvement Act of 1997 which identified six priority wildlife-dependent recreation uses, including: hunting, fishing, wildlife observation and photography, environmental education, and interpretation. Additionally, this is a wilderness-dependent recreation activity that also provides a local economic opportunity that is in keeping with ANILCA. The USFWS should make every effort to support, help steer and continue to work with at the local community level to ensure that the developing polar bear viewing program is successful and infused with the spirit of stewardship.

Comment 032627.020
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

While many problem issues are recognized in the Draft CCP (D.5 Visitor Use Issues), nearly all are relegated to “considered but eliminated from detailed study.” We are very concerned because the draft CCP primarily addresses only the Kongakut River in the Alternatives and does so with relatively minor measures which do not adequately address the issue. The final CCP must include the strongest possible commitment that the Service will act to restore wilderness character throughout the Refuge (not just the Kongakut River) to the level and quality that existed when Congress designated Wilderness in 1980.

Comment 000017.005
Wilderness Watch - Full

The CCP draft is greatly remiss in not addressing the visitor use issues described in sections D.5.11-D.5.10. The problems and impacts they relate to are only growing worse and need to be addressed now. The 1988 CCP recognized that and stated the development of a public use management plan would be a high priority. That was in 1988, and no related step-down plans have even begun. Your CCP workbook asked what issues the plan should address and the public identified these issues. They shouldn't be delayed to some possible future planning process. In particular, crowding on popular rivers needs to be reduced, aircraft landing impacts need to be addressed now, group size should be limited to 8 or 9 people, and for use allocation, a private user preference or “freedom of choice” policy should be implemented.

Comment 136919.005
Lolly Andrews

Several recreational issues should be resolved by this plan and it is unfortunate that the public's wishes to address them were not acted on. These include the need to limit group size (to about 8), provide preference for private users over commercial, the general need to restrict commercial guides, the restriction of using airplanes for game spotting, preventing airplane landing impacts, and the need to establish a commercial and mechanized zone around the Firth River area. Also, remove all buildings.

Comment 136931.001
Stacy Hortaridis

The CCP draft is greatly remiss in not addressing the visitor use issues described in sections D.5.11-D.5.10. The problems and impacts they relate to are only growing worse and need to be addressed now. The 1988 CCP recognized that and stated the development of a public use management plan would be a high priority. That was in 1988, and no related step-down plans have even begun. Your CCP workbook asked what issues the plan should address and the public identified these issues. They shouldn't be delayed to some possible future planning process. In particular, crowding on popular rivers needs to be reduced, aircraft landing impacts need to be addressed now, group size should be limited to 8 or 9 people, and for use allocation, a private user preference or “freedom of choice” policy should be implemented.

Comment 136983.001
RA Montgomery

The CCP draft does not include visitor use described in D.5.11-D.5.10. The 1988 CCP said that a public use management plan would need to be a high priority and so far no plans have even begun (that we know of).

Comment 136995.001
Barbara Roman

The CCP draft is greatly remiss in not addressing the visitor use issues described in sections D.5.11-D.5.10. The problems and impacts they relate to are only growing worse and need to be addressed now. The 1988 CCP recognized that and stated the development of a public use management plan would be a high priority. That was in 1988, and no related step-down plans have even begun. Your CCP workbook asked what issues the plan should address and the public identified these issues. They shouldn't be delayed to some possible future planning process. In particular, crowding on popular rivers needs to be reduced, aircraft landing impacts need to be addressed now, group size should be limited to 8 or 9 people, and for use allocation, a private user preference or "freedom of choice" policy should be implemented.

3.3 TOPIC: Alternatives Analyzed

3.3.1 *Alternative A*

Comment 136959.001
Sybil Carof

Please accept Alternative 1 from CCP (and change the name) to something more appropriate .

3.3.2 *Alternative B, Kongakut River Management*

Comment 136816.004
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Fourth bullet under Alternative B is not possible without a strong monitoring program. And I question how an impacted area would be rehabilitated, other than early detection followed by restricting use of the impacted area until it rehabilitates itself naturally.

3.3.3 *Alternative C*

Comment 136796.012
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

As Defenders outlined in our Arctic Refuge CCP scoping comments, recreational use of the Refuge is increasing with improved access. While wildlife viewing, backpacking, and rafting are generally considered low-impact activities, recreation does have the potential to significantly disturb wildlife and detract from the wilderness experience valued so highly by visitors to the Refuge. We believe the visitor use management actions outlined in Alternative C will help the Service to better protect the ecological integrity of the Refuge while providing high-quality, wilderness-associated visitor experiences. However, to the extent that budget and staffing allows, we encourage the Service to add to Alternative C the additional provisions related to Kongakut River visitor use provided in Alternatives D and E, namely to:

- Increase efforts to educate about compliance and then enforce compliance of Special Use Permit conditions and existing visitor use regulations.
- Redistribute the number of groups on the river during heavy use periods (late June and mid-August) by working with commercial guides to voluntarily modify their use of the river basin throughout the season.
- Work with commercial air-taxi operators to avoid flight-seeing activities and to disperse commuting flight paths in and out of the Kongakut valley, subject to safe aircraft operation, inclement weather conditions, and takeoff and landing approach requirements.⁴⁶

Comment 032613.001
Jon Klingel

-----Preamble/Intro-----

However, I suggest Alternative C be modified to add the following:

-----Comment-----

Recommend the Brooks Range WSA for Wilderness designation.

Recommend the Hulahula River for Wild and Scenic status.

Recommend the Marsh Fork of the Canning River for Wild and Scenic status from the headwaters downstream to at least Shublik springs.

Recommend the Kongakut River for Wild and Scenic status.

I also suggest you take a close look at the East Fork of the Chandalar River from the headwaters above Arctic Village to the flat water above the village and downstream from the village to Venetie. This river has good Wild and Scenic qualities except near Arctic Village which has a lot of activity including power river boats.

Comment 248856.001
National Wildlife Refuge Association - Email v1 - alt C

I urge the FWS to modify Alternative C to include Wilderness recommendation for other refuge lands that are eligible and qualify for such designation but include exceptions to permit the continuation of traditional activities on the refuge by the Gwich'in people. These exempted areas should be managed in a manner that supports these traditional and cultural activities while maintaining Wilderness characteristics.

Comment 006022.001
Jon Klingel

The Marsh Fork of the Canning area should be added to Alt. C as Wilderness. The Marsh Fork is the most biologically productive portion of the Canning with an excellent sheep population, the major mineral lick for the region, with significant use by wolves, caribou, grizzly, and moose, in addition to Dall Sheep. It also has a wintering population of arctic char. The Marsh Fork has excellent wilderness characteristics and is used by hikers and people floating the river. The most popular route is float plane access at Porcupine Lake. See Canadian Arctic Gas Study Ltd. (CAGSL) series for detailed biological information, especially Vol. 24.

3.3.4 Alternative E: Funding and Personnel

Comment 136800.011
Debbie Miller, Author
Caribou Enterprises - Full

Given our economic times, I was somewhat surprised to read that 21 employees would be needed if Alternative C or E were to be implemented. Our current budget hawks might find it rather absurd to learn that 21 new staff positions (\$749,000) are needed to designate some of the Refuge lands as wilderness? Some thought should be given to our economic times and the true budgetary needs for wilderness managed lands.

Frankly, I can't imagine that new wilderness legislation would pass Congress with such a fiscal note attached. I recommend that the budget for managing wilderness be more modest and in keeping with current staffing at the Arctic Refuge.

3.3.5 Alternative E, Wilderness

Comment 136811.001

Mark Richards, Co-Chair

Alaska Backcountry Hunters & Anglers

We would have preferred an alternative management plan that included both the Coastal Plain and Brooks Range WSAs, but did not include the Porcupine Plateau WSA. However, for whatever reason that was not an option within the Draft CCP.

We do not support inclusion of the Porcupine Plateau WSA in Alternative E, as this area south of Brook Range includes a number of privately owned in holdings, permitted cabins, thousands of acres of private Native lands, the Canyon Village town site, and has long been a heavily utilized hunting and fishing trapping destination for many subsistence and other users. We don't believe wilderness designation is appropriate for this area of the Refuge.

Comment 136800.010

Debbie Miller, Author

Caribou Enterprises - Full

I support Alternative C and Alternative E with respect to the establishment of new wilderness areas within the Arctic Refuge.

However, Alternative E needs to modify its proposed wilderness boundaries to better reflect the local concerns of Venetie and Arctic Refuge residents. There should be an adequate amount of land surrounding these villages for logging, subsistence activities, and other possible commercial uses. I recommend that USFWS conduct a series of meetings with villagers to better define these boundaries for proposed wilderness on the south side of the Brooks Range.

Securing wilderness designation of the coastal plain of the Arctic Refuge has been a goal for many Americans for more than three decades. This is the most threatened area within the Refuge and the most biologically sensitive region. Alternative C should take precedence because of this.

At the same time, USFWS should work with local communities in the southern region of the Refuge and propose a southern wilderness region that has widespread support. When Alternative E is modified to reflect those interests, we can move forward with future wilderness proposals for the southern region of the Refuge.

3.3.6 Alternatives Development

Comment 136805.107

Sean Parnell, Governor

State of Alaska

Page 3-54, § 3.4.5.1 Wilderness. ANILCA Section 304(g)(1) statesthe Secretary shall identify and describe....special values....or wilderness values of the refuge.. The Service is not mandated to

preserve wilderness character outside of designated wilderness nor does the Refuge have a purpose of preserving wilderness values.. This discussion reveals a major flaw in this basic assumption.

Comment 136852.001
Marilyn Savage

How did we decide to do the six alternatives? There seems to be a division between C and E – I like E, but how did we come up with these alternatives?

3.3.7 Evaluation of Alternatives

Comment 136794.002
Bill Iverson, President
Alaska Outdoor Council

There are no Alternatives in the draft ANWR CCP/EIS to enhance opportunities to participate in wildlife-dependent recreation. Recreational values, while no longer listed as one of the purposes of the federal law create by ANILCA for ANWR, still need to be part of a detailed study in the CCP. The National Wildlife Refuge System and Goals and Refuge Purposes document 601 FW 1 1.8(D) includes providing and enhancing recreational opportunities.

Alaskans don't want to see any further reduction in public access to public lands. There are other ways to reduce recreational users impacts on Refuge lands and user conflicts that are not part of any of the proposed Alternatives published in the draft ANWR CCP/EIS.

Comment 136803.002
Lisa Murkowski, Senator, Alaska
US Senate

2. The federal government does not have and will not have the resources necessary for the study, process, or ultimate management attendant to the recommendation or designation of new Wilderness areas in the Arctic. The Interior Department has faced enormous challenges in retaining its most experienced professionals since the federal salary freeze adopted in 2010 as a spending reduction measure. It is commonly known and even accepted at the federal level that budgetary constraints will impact all levels of employees, government wide, and all federal operations. Because of the exacerbated expense and difficulty in maintaining the characteristics of lands for conservation purposes in an Arctic environment, FWS recommending additional Wilderness or WSRs is particularly egregious from a standpoint of fiscal responsibility.

Comment 136844.001
Unnamed 8

Is there an Alternative the Feds don't want?

Comment 032656.001
Michael Pollen

-----Preamble/Intro-----

America and Alaska needs to tap the resource potential of the 1002 area as was planned in the original ANILCA act. It is important to keep in mind that this resource potential will add to the wealth of our state and nation, not just as an economic objective, but as an environmental one. One of the greatest threats to sustaining a healthy environment is human poverty. A sad example of that is Haiti, where the impoverished population has virtually denuded this once lush tropical island for what fuel value could be obtained from the forests. The erosion that has followed from tropical storms continues to wash the once fertile soil into the ocean, continuing the cycle of poverty and environmental ruin. I believe that one of the reasons that Alaska and the US are able to maintain reasonable environmental controls is that we can afford to do so. Tapping the resource potential of the 1002 area is a means to sustain our economy and the high quality environmental systems we use in the US.

Alaskans and the oil and gas industry know how to do this with minimal impact. Our passage through this area will likely last for decades, but will someday fade away leaving the natural environment to return to its wilderness condition. In the interim, Alaska and the US will benefit from the jobs, creation of wealth, and support of environmental systems and technology that will derive from the resource potential of the 1002 Area.

-----Comment-----

I urge you to consider carefully the full range of the potential impacts that a wilderness designation of the 1002 Area will have. A broader analysis may well reveal that economic and environmental interests actually converge to their mutual benefit here.

Comment 032626.028
Greg Warren

V1, 3-10, 3.2 Alternatives: To clarify roles and responsibilities, I recommend that the discussion be supplemented with the following: “ADFG will continue to establish hunting regulations in the Refuge. Initial compatibility determinations of the ADGF hunting regulations effects on key wildlife species will be completed within two years. These determinations will be updated when population trends change or regulations for harvest levels (bag limits) and hunting seasons are modified by Alaska Board of Game/ADFG or every five years, whichever period is sooner.”

Comment 032626.030
Greg Warren

V1, 3-53, 3.4.3 Response to National Wildlife Refuge System Mission: It is possible that the relinquishment of Refuge population management responsibilities to the State is resulting in the Refuge System being degraded. Alternatives need to address State fish and wildlife hunting regulations concerns.

Comment 032626.039
Greg Warren

the DEIS does not discuss the scientific and analytic basis for the comparison of the proposed action and alternatives. A Supplemental or Final EIS needs to correlate the discussion of effects to the affected environment chapter.

3.3.8 Management Actions Common to All Alternatives

Comment 136817.022
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

-----Preamble/Intro-----

In its discussion of alternatives, the Draft Plan sets forth several management actions common to all alternatives. One category of these management actions is “public use and access,” addressed in Section 3.2.1.2 of the Draft Plan. Although Section 3.2.1.2 of the Draft Plan contains a paragraph addressing subsistence, this discussion is insufficient.

-----Comment-----

First, the bulleted list of actions that the USFWS and the Refuge will continue to take as “standard practice” with regard to “public use and access” contains no reference to subsistence use and access for subsistence use, and is therefore incomplete. ASRC and NSB propose that USFWS add the following bullets to the list of standard practices under Section 3.2.1.2 in the final revised Plan:

* provide the opportunity for continued subsistence uses by local residents * ensure that rural residents engaged in subsistence uses have reasonable access to subsistence resources, subject to reasonable regulation

Comment 136817.023
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

-----Preamble/Intro-----

In its discussion of alternatives, the Draft Plan sets forth several management actions common to all alternatives. One category of these management actions is “public use and access,” addressed in Section 3.2.1.2 of the Draft Plan. Although Section 3.2.1.2 of the Draft Plan contains a paragraph addressing subsistence, this discussion is insufficient.

-----Comment-----

Second, although the “Subsistence” paragraph appropriately recognizes that “[p]roviding for continued subsistence opportunities is an important purpose of Arctic Refuge,” the paragraph otherwise only addresses resource monitoring to ensure the compatibility of subsistence use. It says nothing of how, under each alternative, USFWS will, in accordance with the relevant provisions of ANILCA, provide for such continued subsistence opportunities. Given the stated importance of this purpose of the Refuge, this discussion should be expanded to explain that, regardless of the alternative selected, USFWS will provide the opportunity for continued subsistence uses by local residents and ensure that rural residents engaged in subsistence uses have reasonable access to subsistence resources, subject to reasonable regulation.

Comment 136805.101
Sean Parnell, Governor
State of Alaska

Page 3-12, Porcupine Caribou Herd. The State of Alaska has primary management authority for the Porcupine Caribou Herd. We request the state management authorities be recognized in this paragraph.

Comment 136805.102
Sean Parnell, Governor
State of Alaska

Page 3-13, § 3.2.1.2 Public Use and Access, Subsistence, first paragraph. Section 303(2)(B)(iii) of ANILCA, is very specific. One of the four purposes for which the Refuge was established is to provide the opportunity for continued subsistence uses by local residents in a manner consistent with (i) the conservation of fish and wildlife populations and habitats in their natural diversity, and (ii) the fulfillment of international treaty obligations with respect to fish and wildlife and their habitats. To be consistent with ANILCA, we request the last sentence be revised by replacing the general reference to .other Refuge purposes. with the two specific purposes above.

Comment 136767.001
Unnamed 6

-----Preamble/Intro-----
Meeting Notes Draft CCP Meeting in Venetie
-----Comment-----
Why did we lose the sheep management area?

Comment 136784.001
Adrienne Hall

In all alternatives I'd encourage the Refuge to establish a formal monitoring protocol for wilderness character as outlined in Keeping it Wild by Landres et al.
<http://www.wilderness.net/toolboxes/documents/WC/Keeping%20it%20Wild%20Interagency%20Strategy%20GTR-212.pdf> 3)

3.3.8 No Oil and Gas Alternative

Comment 000097.001
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

We believe the
19 Service violated ANILCA and NEPA and BEPA by failing to
20 consider development on the coastal plain as one of the
21 alternatives in the draft CCP and EIS.
22
23 ANILCA specifically requires the
24 Service to consider oil and gas exploration,
25 development and production activities in this area.

26 Under NEPA, the Service must consider all reasonable
27 alternatives for land management in the Refuge and oil
28 and gas development is a reasonable alternative,
29 particularly since Congress specifically set aside the
30 coastal plain for potential development.

Comment 032620.001

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

AOGA is greatly concerned by the Service's failure to consider the vast resources contained in the coastal plain area of ANWR in the draft CCP/EIS. On the contrary, AOGA believes the importance of these resources to U.S. domestic supply and energy needs cannot and should not be ignored. The U.S. Geological Survey ("USGS") estimates that the coastal plain could hold up to 16 billion barrels of oil and 18 trillion cubic feet of natural gas. To put this in perspective, to date, approximately 16 billion barrels of oil have been produced from Alaska's North Slope. This means oil might continue to flow through the Trans-Alaska Pipeline System ("TAPS") for potentially another 30 years if the coastal plain is opened to development.

In 2010, the U.S. consumed 19.1 million barrels of petroleum products per day, importing over 50-percent, costing hundreds of millions of dollars per day and resulting in the export of hundreds of thousands of jobs. Development of ANWR's potential oil and gas resources would help increase the nation's energy independence, extend the life of TAPS, increase tax and royalty revenues to state, local and federal governments, and create tens of thousands of jobs on an annual basis across the country. The lack of any consideration of ANWR's oil and gas potential should be corrected in the final CCP/EIS.

Comment 032620.010

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

The draft CCP/EIS, if finalized as written, would violate NEPA because it does not evaluate a reasonable range of alternatives and because it contains an unlawfully narrow, and incorrect, purpose and need statement. The CCP/EIS' failure to consider opening the 1002 coastal plain for oil and gas development at least as an alternative in the EIS is a fundamental violation of NEPA as well. NEPA regulations, CEQ guidance, and case law require that a NEPA review consider every reasonable alternative to a proposed action. See, e.g., 40 CFR 1502.14(a) (An EIS must "Rigorously explore and objectively evaluate all reasonable alternatives.") Failure to do so defeats the purpose of NEPA, in part by failing to inform the public of all alternatives prior to adopting a course of action.

Here, Congress required USFWS to open the 1002 coastal plain for exploration activity and to report to Congress on whether it should be opened for oil and gas development. Section 1002(d), (h). An alternative which Congress has required the agency conducting the EIS to study is necessarily a reasonable alternative which must be considered in an EIS. Moreover, CEQ guidance on NEPA requires that agencies consider all alternatives including those which require Congressional legislation. A correct approach under NEPA here would be a legislative EIS pursuant to Section 1002(h) and NEPA regulations at 40 CFR 1506.8.

USFWS' claimed justification for its refusal to consider an EIS alternative of development of the 1002 coastal plain area as required by Congress is also wrong. USFWS asserts that "The purpose

and need for the CCP is to ensure that activities, actions and alternatives fulfill the legal purposes for which the Refuge was established... It is outside the Refuge's and Service's administrative authority to consider or propose oil and gas development activities." EIS Summary at 15. However, Congress directed DOI, by statute, to consider exactly such an alternative in Section 1002 of ANILCA, which created the 1002 coastal plain as a distinct part of the Refuge. DOI itself recommended this alternative in the 1987 1002(h) Report and Legislative EIS submitted to Congress. The "administrative authority" of the Service here also includes the express duty to promulgate regulations for oil and gas exploration in the coastal plain pursuant to Section 1002(c), an authority the Service acted upon.²⁶

To say the least, consideration of oil and gas development cannot therefore be presumptively contrary to the express statutory purposes of the Refuge with respect to 1002.²⁷ Once again, ANILCA controls consideration of the "purpose" of the Refuge. Nor is DOI lacking "administrative authority" to give effect to the statutory duties imposed on the agency by Congress.

Unfortunately, the failure to inform the public and to consider all reasonable alternatives, including further exploration and potential development in the coastal plain, is so pervasive as to invalidate the public process which has been followed to date. The initial public notice of the CCP stated that "we will not consider or respond to comments that support or oppose [oil and gas] development," thus skewing the public comment process from the beginning. 75 FR 17765, April 10, 2010. Now, despite receiving many such comments, USFWS has refused to consider a Congressionally mandated alternative of potential oil and gas development.

The result is a draft EIS which fails to advise the public of key issues and alternatives, and which is "so inadequate as to preclude meaningful analysis." See 40 CFR 1502.9.

Comment 136798.001
Mike Hawker, Representative
Alaska State Legislature

I am gravely concerned about the alternatives presented in the draft revised Comprehensive Conservation Plan and draft Environmental Impact Statement for the Arctic National Wildlife Refuge (ANWR) and strongly oppose any additional wilderness designation.

None of the six alternatives include responsible resource development, even though Alaska National Interest Lands Conservation Act (ANILCA) mandated that petroleum resource development be considered and the Department of the Interior concluded oil production from the 1002 area would have minimal impact, recommending that the coastal plain be open to development.

Comment 000089.001
Aves Thompson, Executive Director
Alaska Trucking Association

16 In reviewing the alternatives presented
17 for consideration, I am disappointed. Make that I'm
18 very disappointed to see that there is no oil and gas
19 exploration and production alternatives. It seems that
20 since the original intent of the 1002 designation was
21 to provide for oil and gas exploration and development,
22 there should be under serious consideration at least
23 the continuation of that designation.

Comment 136818.005
Richard Ranger, Senior Policy Advisor
American Petroleum Institute

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

Comment 136980.002
Gail Mayo, President
Arctic Audubon

The BIG issue of oil and gas assessment and possible development on the coastal plain should be addressed up front in the plan with the understanding that any development on the coastal plain would be a Congressional prerogative and would require environmental impact studies.

Comment 032636.002
Matthew Fagnani, Member, Board of Directors, Executive Committee
Arctic Power

In the past 30 years of oil production at Prudhoe Bay, producers have significantly and safely advanced technology in oil and gas drilling, Arctic engineering, waste disposal and environmental management. With these advancements the Fish and Wildlife Service and state should be able to pursue a 10-02 area comprehensive management plan that does not designate the ANWR coastal plain as wilderness. The USFWS CCP report limits the scope of alternative management practices and includes no natural resource development alternatives.

Alternative management proposals should include scenarios in which the USFWS and the state of Alaska jointly pursue a plan of action that would responsibly and safely complete the original intended use of the 10-02 coastal plain, the eventual development of its oil and gas reserves.

Comment 000074.001
Gail Phillips, Board of Directors
Arctic Power

9 After the hearing in Anchorage in May
10 of 2010, it was our understanding that the purpose of
11 the agency's scope of work on the draft was to find a
12 way to strike a balance between critical habitat and
13 ecosystems and the production of critical energy
14 resources.
15
16 The current CCP draft in its current
17 form only addresses the issue of wildlife and ecosystem
18 protection and completely ignores any alternative uses

19 regarding oil and gas development. The CCP draft
20 excludes any practices that would include working with
21 the State of Alaska to manage both wildlife protections
22 in conjunction with responsible resource development.
23 Additionally, the current non-wilderness status of the
24 1002 coastal plain does not hinder the Services mission
25 to protect critical habitat and wildlife.
26
27 Under the NEPA Act, Federal agencies
28 must study, develop and describe appropriate
29 alternatives to recommend courses of action and any
30 proposal which involves unresolved conflicts concerning
31 alternative uses of available resources.
32
33 It's blatantly apparent that the
34 Service has not and is not following established law
35 regarding the conflict surrounding ANWR by virtue of
36 the fact that none of these alternatives you've offered
37 for this revised draft plan provide for options for
38 responsible resource development.
39
40 It is obvious that the Service has
41 instead opted to ignore the Federal law outlined in
42 ANILCA and has discarded the State of Alaska's
43 opposition to the addition of any wilderness
44 designations in the 1002 area. I feel that the Agency
45 has grievously overreached their legal authority and
46 should be directed to consider oil and gas development
47 as alternative management practices.

Comment 032641.001
Gail Phillips, Executive Board Member
Arctic Power

After the hearing in Anchorage in May 2010, it was our understanding that the purpose of the Agency's scope of work on the ANWR draft was to find a way to strike a balance between critical habitat and ecosystems and the production of critical energy resources.

The CCP draft in its current form only addresses the issue of wildlife and ecosystem protection and completely ignores any alternative uses regarding oil and gas development.

The CCP draft excludes any practices that would include working with the State of Alaska to manage both wildlife protections in conjunction with responsible resource development.

Additionally, the current non-wilderness status of the 10-02 Coastal Plain does not hinder USFWS's mission to protect critical habitat and wildlife. Under the National Environmental Policy Act (NEPA), federal agencies must "study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources". It's blatantly apparent that the USFWS has not and is not following established law regarding the conflicts surrounding ANWR by virtue of the fact that none of the alternatives you've offered for this revised draft plan provide for options for responsible resource development.

ANILCA (the Law) also specifically directs USFWS to "provide for a comprehensive and continuing inventory of the assessment of the fish and wildlife resources and an analysis of oil and gas exploration development". Section 1005 of ANILCA states that the Secretary (of Interior) "shall work closely with the State of Alaska and Native Village and Regional Corporations in evaluating the impacts of oil and gas exploration, development and production".

It is obvious that the USFWS has instead opted to ignore the federal law outlined in ANILCA and has discarded the State of Alaska's opposition to the addition of any wilderness designations in the 10-02 area. I feel that the Agency has grievously overreached their legal authority and should be directed to consider oil and gas development as an alternative management practice.

Comment 136824.002

**John MacKinnon, Executive Director
Associated General Contractors of Alaska**

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

Comment 032675.016

**Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas**

The Service chose to eliminate from further study in the DCCP any consideration or examination of oil and gas leasing or development within the 1002 Area in the range of alternatives. The justification given is that the Service has no administrative authority over oil and gas development because under ANILCA 1003 only Congress can authorize oil and gas development in the area. Putting aside the obvious inconsistency between the Service's decision to recognize this section of ANILCA while ignoring the equally clear language in Section 1326, the DCCP and DEIS should have included an alternative that addressed potential oil and gas exploration in the 1002 Area. Without an examination of this key issue, the DEIS is incomplete and does not meet NEPA's requirements.

Comment 032617.003

**Don Young, Congressman
Congress of the United States, House of Representatives**

The inclusion of Wilderness in the alternatives has unreasonably restricted the scope of the alternatives and public comment on the CCP, as the Service has refused to consider an oil and gas development alternative as well.

Comment 137005.001
John Woodman C.P.G., Sr. Natural Resource Manager
Doyon Limited

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. There have been considerable advancements in oil and gas exploration and development in the nearly 25 years since the original study was completed.

Comment 009536.002
Lisa Herbert, Executive Director
Fairbanks Chamber of Commerce

In 1987, the Department of Interior concluded that oil development would have minimal impact on wildlife and recommended the 1002 area be opened. In 1995, Congress voted to open the area to exploration, but President Clinton vetoed the measure. Now, 16 years later, the new draft plan for ANWR does not even include a single alternative that would recommend opening the 1002 area to oil and gas development.

Comment 009536.003
Lisa Herbert, Executive Director
Fairbanks Chamber of Commerce

The service needs to rise -- revise the draft plan to include a new alternative that recommends responsible oil and gas exploration in the 1002 area.

Comment 136783.001
Mindy Rowland, Executive Director
First Things First Alaska Foundation

The Board of Directors of the First Things First Alaska Foundation adamantly opposes changing all or any part of the status of the Arctic National Wildlife Refuge (ANWR) to a wilderness designation or wild and scenic river designation.

Such designations would violate the "no more" clauses of the Alaska National Interest Lands Conservation Act (ANILCA) and would be contrary to the intent of Congress in passing this law. ANILCA was accepted in good faith by the people of Alaska with the explicit understanding that no further lands would be removed for potential development. ANILCA mandates that the Department

of the Interior periodically revisit the issue of oil and gas activity within the coastal plain of ANWR, and in fact has determined that such activities could occur with minimal impact on wildlife. The US Fish and Wildlife Services' proposed comprehensive conservation plan is in clear violation of that charge in that it would eliminate any opportunity for future development and does not allow for an oil and gas development alternative.

Comment 136982.002

**Mike Miller, Business Development Manager, Alaska Region
Granite Construction Company**

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

Comment 032680.001

**Lorna Shaw, Chair, Board of Directors
Greater Fairbanks Chamber of Commerce**

The CCP should recognize modern technology, coupled with tough environmental regulations, could allow the responsible development of known resources in the United States where variables can be controlled and risks mitigated. Alternatives to conventional oil and gas development that minimize the impact of resource development to the environment, including low-impact directional drilling from well-positioned pads and minimizing road construction, should be encouraged.

One low-impact proposal would be directional drilling from State land to the oil reservoir beneath ANWR. There are certainly other alternatives that could be considered that would minimize the impact of resource development to the environment. The Sub-horizontal drilling (1), using off-the-shelf technology, could develop this resource with minute impact to the surface, yet guarantee optimum resource recovery.

Comment 032680.002

**Lorna Shaw, Chair, Board of Directors
Greater Fairbanks Chamber of Commerce**

Resource development is not mutually exclusive to the purposes of ANILCA, and is vital to the economic growth and stability of the United States. In 1987, the Department of the Interior concluded that oil development would have minimal impact on wildlife and recommended the 1002 area be opened. In 1995, Congress voted to open the area to exploration, but President Clinton vetoed the measure. Now, 16 years later, the new draft plan for ANWR does not include a single alternative that would recommend opening the 1002 area to oil and gas development.

Comment 136814.001
Rick Solie, Community & Government Relations Manager
Livengood Gold Project

the Service should revise the Plan to include an option that allows for responsible oil and gas exploration and development in the 1002 Area of the Coastal Plain.

Comment 136523.001
Resource Development Council - Website

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. There have been considerable advancements in oil and gas exploration and development in the nearly 25 years since the original study was completed.

Comment 000033.001
Bill Barron, State Director of the Division of Oil and Gas
State of Alaska

There's a potential of massive amounts
2 of oil and opportunity for our struggling economy. A
3 very small production footprint and an excellent record
4 of environmental responsibility. Yet despite these
5 facts the draft CCP and EIS for the Arctic National
6 Wildlife Refuge fails to even consider an alternative
7 that includes resource development.

Comment 136805.016
Sean Parnell, Governor
State of Alaska

The State renews its objections to the draft Plan's failure to include any alternative that addresses potential oil and gas exploration and development in the coastal plain area, and to the draft Plan's failure to address the negative economic and resource development consequences of a potential wilderness designation of the coastal plain. These omissions violate the National Environmental Policy Act (NEPA) and ANILCA. The CCP must identify alternatives that include potential resource development of the coastal plain and address the associated potential impacts of such an alternative.

Comment 136805.019
Sean Parnell, Governor
State of Alaska

The Service assumes that the draft Plan is limited to addressing the Refuge purposes identified in ANILCA § 303(2)(B), and—inappropriately—the purposes identified in PLO 2214 in establishing the original Arctic National Wildlife Range. This view ignores other statutory management requirements for the Refuge, including the provisions of § 1002, which requires .an analysis of the impacts of oil and gas exploration, development, and production, and to authorize exploratory activity within the coastal plain in a manner that avoids significant adverse effects on the fish and wildlife and other resources.. It also ignores the resource assessment requirements of § 1002(c), which requires that the baseline study be revised .as new information is obtained,. including .the potential impacts of oil and gas exploration, development, and production on such wildlife and habitats..

The Service relies on Section 1003 of ANILCA as justification for not considering an oil and gas exploration and development alternative. However, Section 1003 simply reserves to Congress the final decision regarding production, leasing and .other development leading to production. in the Refuge. Section 1003 does not allow the Service to ignore the ongoing study and planning requirements regarding potential oil and gas exploration and development in the Refuge.

The last formal study of the oil and gas development potential of the Refuge (the 1987 § 1002(h) report) recommended that Congress repeal § 1003 and open the coastal plain to exploration and development. NEPA requires that the Service continue to evaluate this alternative, and provide management direction for the potential oil and gas leasing and development that may be allowed during the life of the Plan.

Comment 136805.020
Sean Parnell, Governor
State of Alaska

It is inappropriate for the Service to dismiss identification and analysis of an oil and gas alternative based on the logic that Congress must act before such an alternative could be implemented. Curiously, the necessity for Congressional action in designating wilderness has not precluded the Service from conducting wilderness reviews on all land in the Refuge that is not already designated wilderness.

Comment 136805.022
Sean Parnell, Governor
State of Alaska

Information that would enable a complete review of the potential impacts due to oil and gas leasing, production and development is currently missing from this CCP/EIS. Some additional topics that should be addressed in the Plan regarding oil and gas development are:

- . Available Data and Information

- . Potential Location and Size of Development Areas

- . Facility Needs – Pads, Roads, and Pipelines

- . Seasonality of Different Development Activities

. Spill Prevention and Response

. Stipulations/Required Operating Procedures/Mitigation Measures

Per USFWS policy (612 FW 2), an oil and gas management plan is recommended on lands where oil and gas activity is projected. Inclusion of the elements of such a plan in this CCP/EIS, or the deferment of this planning tool to a step-down plan, would assist refuge managers in the event that Congress opens the 1002 area for oil and gas leasing and production. In light of the recent activity in Congress towards this end, and the increasing public support of opening the Refuge to oil exploration, such a plan is essential to ensure wise management of this area in the future.

Comment 136805.160

**Sean Parnell, Governor
State of Alaska**

This draft Plan goes to great lengths to discuss the ""benefits"" associated with designating Refuge lands as wilderness, but offers nothing to explain the trade-offs and lost opportunities associated with precluding responsible development of the 1002 Area's rich oil and gas resources. Given the explicit direction in ANILCA for the 1002 Area, not only is this contrary to National Environmental Policy Act requirements, it is grossly irresponsible. Since this draft Plan fails to disclose what is at stake should this misguided effort to designate the 1002 Area as wilderness succeed, I offer the following hard facts.

National Energy Security

Two-thirds of our nation's annual petroleum needs are imported from foreign nations, often having far less stringent environmental protections, at a cost of more than \$150 billion per year. Exploration and production of the Arctic Refuge's vast reservoirs will help reduce foreign oil imports, thus decreasing domestic energy costs while increasing national security. Further, as recognized in the 1987 Section 1002(h) Report, the development of the 1002 Area would contribute to our national energy and security needs by prolonging the useful life of the Trans Alaska Pipeline System (TAPS), allowing it to continue serving the public as one of the foremost domestic energy assets in the nation.

Studies suggest the 1002 Area could produce a ten-year sustained rate of one million barrels per day. For example, in its most recent assessment of the 1002 Area, the U.S. Geological Survey estimates that the amount of technically recoverable oil ranges between 5.7 billion and nearly 16 billion barrels. To put this in perspective, the upper range of this estimate is nearly equal to the total amount that TAPS has transported since it came online in 1977.

Economic Benefits

By all accounts, job creation and reducing government debt are ultimately necessary to foster the nation's economic growth. As State and local governments face difficult decisions on how to address budget deficits, the potential economic benefits of oil exploration and development in Alaska could become even more critical. Revenues from oil production in the 1002 Area could support lagging budgets at all levels of government. These revenues originate from bonus bids received during lease sales, rental fees for leases, royalties relating to production quantities, and taxes on operator income. The Congressional Research Service's estimates of potential revenues from development of the 1002 Area are in the tens of billions of dollars, helping states and communities pay for education, infrastructure, and other vital services, while creating tens of thousands of jobs throughout the nation, not just in Alaska.

Comment 136920.001

**Gary Brackett, Manager, Business and Trade
Tacoma Chamber of Commerce**

The draft management plan does not include a full range of options, only a limited range of possibilities. For instance, it has included alternatives to designate Wilderness, which requires the approval of Congress. But, it does not include oil and gas development, also requiring Congressional action.

Comment 000084.002

**Keith Silver, Owner
The Silver Agency**

The U.S. Fish and Wildlife Service CCP
43 report limits the scope of alternative management
44 practices and includes no natural resource development
45 alternatives. Alternative management proposals should
46 include scenarios in which the U.S. Fish and Wildlife
47 Service and the State of Alaska jointly pursue a plan
48 of action that would responsibly and safely complete
49 the original intended use of the 1002 coastal plain,
50 the eventual development of its oil and gas reserves.

Comment 000046.002

Matthew Fagnani

14 The CCP report limits the scope of
15 alternative management practices and includes no
16 natural resource development alternatives. Alternative
17 management proposal should include scenarios in which
18 the Fish and Wildlife and the State jointly pursue a
19 plan of action that would responsibly and safely
20 complete the original intent of the use of 1002 coastal
21 plain.

Comment 136950.002

Peter Gadd

It is also clear that this is a biased analysis that favors the status quo (limited access) to opening the area up to thoughtful and careful development. The area is a special place but the needs of America dictate that resource development needs to be presented in the discussion.

Comment 000050.001

Sami Glascott

-----Preamble/Intro-----

44 Our reality is that every year the
45 throughput in the TransAlaska Pipeline decreases by
46 another 6 percent. Currently we are at a third of the

47 pipeline's capacity and any given cold snap like the
48 one we experienced last winter can paralyze the flow of
49 oil because there simply isn't enough going through it
50 right now. That is our reality.

-----Comment-----

It is through this lens that reviewing
2 the draft revised CCP shouldn't be alarming to
3 Alaskans. In its list of alternatives, the U.S. Fish
4 and Wildlife does not offer an oil and gas development
5 alternative.

Comment 136782.001
Paul S. Glavinovich

The fact that this potential was not addressed in the CCP is cause for concern and clouds the veracity of your planning process. Such energy potential is a national resource and should be managed as such.

Comment 221179.001
Gregory Hall

As “public land”, the presentation of any long term plan that fails to consider the direct and indirect effects of resource development is a failure on the part of the U.S. Fish and Wildlife Service to consider the ramifications and effect on the United States to “provide for the common defense, promote the general Welfare and secure the Blessings of Liberty to ourselves and our Posterity...” as stated in our constitution.

Comment 136975.002
Mary Klebs

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP.

Comment 032651.003
Mark Lindsey

-----Preamble/Intro-----

In preparing the draft CCP for the Arctic National Wildlife Refuge (“ANWR”), is the USFW Service (the “Service”) correct in deciding to exclude meaningful consideration of the oil and gas development potential of the 1002 Area?

-----Comment-----

the Service’s explanation that “It is outside the Refuge’s and Service’s administrative authority to consider or propose oil and gas development alternatives” is untrue and it in no way justifies exclusion of oil and gas development issues from consideration. Please note the following guidance from Council on Environmental Quality web site – list of 40 most faq’s: also published at 46 Fed.

Reg. 18026 (1981): Prepared by NICHOLAS C. YOST, CEQ General Counsel[3].
“MEMORANDUM FOR FEDERAL NEPA LIAISONS, FEDERAL, STATE, AND LOCAL
OFFICIALS AND OTHER PERSONS INVOLVED IN THE NEPA PROCESS”

“2a. Alternatives Outside the Capability of Applicant or Jurisdiction of Agency. If an EIS is prepared in connection with an application for a permit or other federal approval, must the EIS rigorously analyze and discuss alternatives that are outside the capability of the applicant or can it be limited to reasonable alternatives that can be carried out by the applicant?”

A. Section 1502.14 requires the EIS to examine all reasonable alternatives to the proposal. In determining the scope of alternatives to be considered, the emphasis is on what is "reasonable" rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative. Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant.

2b. Must the EIS analyze alternatives outside the jurisdiction or capability of the agency or beyond what Congress has authorized?

A. An alternative that is outside the legal jurisdiction of the lead agency must still be analyzed in the EIS if it is reasonable. A potential conflict with local or federal law does not necessarily render an alternative unreasonable, although such conflicts must be considered. Section 1506.2(d). Alternatives that are outside the scope of what Congress has approved or funded must still be evaluated in the EIS if they are reasonable, because the EIS may serve as the basis for modifying the Congressional approval or funding in light of NEPA's goals and policies. Section 1500.1(a).”

This policy guidance from the agency in charge of NEPA is the exact opposite of the Service’s approach.

There is other language within NEPA and elsewhere in various Federal regulations and policies that could be cited here in support of the notion that Service has erred in its one-sided approach to the 1002 Area. This comment is already long, and I think the point is made, so I will leave those references for another day.

Comment 032615.001
Katie Montgomery

The Service needs to include a plan to the public that offers the alternative of oil and gas development.

Comment 000066.001
Benjamin Moore

-----Preamble/Intro-----

37 There's certainly conflict of competing
38 interest in the 1002 area. Federal law provides that
39 agencies such as yours must study, develop and describe
40 appropriate alternatives to recommend forces of action
41 in any proposal which involves unresolved conflicts
42 concerning alternative uses of available resources.

43

44 With that in mind, ANILCA provides that
45 the purpose of Section 1002 is, quote, to provide for a
46 comprehensive and continuing inventory of the
47 assessment of fish and wildlife resources, analysis of
48 the impact of oil and gas exploration, development and
49 production and to authorize exploratory activity within
50 the coastal plain, close quote.

1 The statute goes on to provide that the
2 Secretary of Interior must provide Congress with the
3 recommendations, again I quote, with respect to whether
4 further exploration for and the development and
5 production of oil and gas within the coastal plain
6 should be permitted and, if so, what additional legal
7 authority is necessary to ensure that the adverse
8 effects of such activities on fish and wildlife, their
9 habitats and other resources are voided or minimized,
10 close quote.

-----Comment-----

12 What we have here is a draft CCP that
13 proposes several alternatives that include new
14 wilderness designations for ANWR while refusing to even
15 consider oil and gas development in the 1002. The mere
16 fact that an alternative requires legislative
17 implementation such as oil and gas activity in the 1002
18 area does not automatically establish it as being
19 beyond the domain of what's required for discussion and
20 consideration in the CCP.

Comment 136938.002

Brian Newton

The CCP draft in its current form only addresses the issue of wildlife and ecosystem protection, and completely ignores any alternative uses regarding oil and gas development. The CCP draft excludes any practices that would include working with the State of Alaska to manage both wildlife protections in conjunction with responsible resource development. Additionally, the current non-wilderness status of the 10-02 Coastal Plain does not hinder USFWS mission to protect critical habitat and wildlife. Under the National Environmental Policy Act (NEPA), federal agencies must “study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.”

Comment 009573.001

Jim Plaquet

The United States Fish and Wildlife Service should develop a new alternative that includes opening the 1002 area to oil and gas exploration and development. None of the current six management proposals address any alternative resource development scenarios.

The intention of the "no more" clause was

adopted to prevent the study or declaration of wilderness, of additional federal land within the state or by any other government entity besides Congress. The 1002 area was set aside with the intent to study potential development for oil and gas. Under the National Environmental Policy Act, it requires federal agencies to study, develop, and describe appropriate alternatives, to recommend courses of action in any proposal which involves unresolved conflicts concerning alternate uses of available resources.

Given the conflict over competing uses in the 1002 area, the Service must consider oil and gas development as an alternative. Oil and gas development can and does co-exist with wildlife in America's National Wildlife Refuges; in fact, there are numerous examples including the Kenai National Wildlife Refuge, the site of the first major discovery of oil and gas in Alaska. The Service should consider oil and gas development in the 1002 area as an alternative management practice.

Comment 221886.001

Gerald A. Richards

The Service should reconsider oil and gas development alternatives in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment.

It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. There have been considerable advancements in oil and gas exploration and development in the nearly 25 years since the original study was completed.

Comment 009583.001

Lance Roberts

I think you really need to look at another alternative that looks at the oil and gas development.

Comment 136940.001

Rick Shattuck

Alaska has proven that we can do energy exploration and extraction responsibly. The presumption that all oil and gas development will unavoidably destroy the environment is not supported by any facts. In fact, the Service will likely face litigation for making assumptions that lead to a flawed scope of alternatives. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the

Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development. ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues.

Comment 221450.001

John Shively

Your plan should recognize the potential for oil and gas development in the 1002 Area, provide for recommending the opening of that area for such development to Congress, and make that recommendation part of your preferred alternative.

Comment 136999.001

Bill Staley

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

Comment 137000.001

William Staley

The Service has unreasonably restricted the scope of alternatives and public comment by refusing to consider an oil and gas development alternative in the draft CCP. ANILCA required the Service to study 1002 area's petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development.

Comment 009609.001

Kate Williams

I believe Service violated ANILCA and NEPA by failing to include a development alternative in the draft plan. ANILCA specifically requires the Service to consider oil and gas exploration, development, and production activities on the Coastal Plain. Under NEPA, the Service must consider all reasonable alternatives for land management and oil and gas development is a reasonable alternative, particularly since Congress specifically set aside the Coastal Plain for potential development.

Furthermore, reviewing ANWR for wilderness

designations violates ANILCA's "no more" clause for the Coastal Plain. The Service only considered additional wilderness as an alternative; it did not consider any development scenario, in clear violation of Section 1326. The Service maintains that it did not consider oil and gas development because Congress reserved the authority to make final decisions on development in ANWR. Following that logic, the Service acted outside of its authority by considering wilderness alternatives since only Congress can designate wilderness.

3.3.9 Other Alternatives Suggested

Comment 136794.009
Bill Iverson, President
Alaska Outdoor Council

-----Preamble/Intro-----

The Alaska Outdoor Council (AOC) recommends that the Service withdraw their draft ANWR CCP/EIS and submit a draft that would be consistent with NEPA regulations regarding the study, development, and submission of appropriate alternatives to recommend a course of action which could resolve conflicts concerning alternative uses of available resources within ANWR.

-----Comment-----

6. AOC recommends that an Alternative be added to propose development and utilization of resources in the Refuge's Coastal Plain (Area 1002).

Comment 000017.010
Wilderness Watch - Full

Regarding the Kongakut River, the alternatives do not provide a reasonable range of means for protecting this overused river. Limiting the number of groups during peak periods needs to be an alternative.

Comment 136966.001
Jeff Fair

I have difficulty choosing between your Alternatives C and E, and wish that you would combine the conservation measures of the two.

Comment 136986.001
Peggy Nelson

if compromise could be made, I would support Alternative C, with a couple of modifications:

Wilderness designation for the Brooks Range WSA
Wild and Scenic River status from the headwaters of the Marsh
Fork of the Canning, down beyond Shublik Rprings.
Wild and Scenic River status for the Kongakut.

Comment 136753.001
Carla Sims

-----Preamble/Intro-----

I know they say that our hunting rights would be protected under ANILCA act but, look, you're already trying to place more regulations on us. We have to have a permit to build a tent frame. No, we don't need to have a permit to camp and use our land where we've always used it. That is not right.

I was going to list a lot of reasons why we should -- why I didn't -- I was going to list reasons why this is not right but I'm not going to because we should not have to justify our reasons or ask for permission to be on our own land that was stolen from us in the beginning. I oppose any more of the land as being designated wilderness as I believe that will be one step closer to losing our land and hunting rights, just as I believe opening up -- opening it up to oil development will do that.

-----Comment-----

I believe the only option is to give the land back to us so we can manage it as we managed it in the past.

Comment 137002.001
Nathaniel Wallshein

Although thorough, the alternatives presented in the CCP are inadequate, as they fail to provide an option to recommend the Porcupine Plateau Wilderness Study Area (WSA) alone, or in conjunction with the Coastal Plain WSA. In relevant part, Alternative A provides for no action beyond the current conservation practices. Alternative B recommends the Brooks Range WSA. Alternative C recommends the Coastal Plain WSA. Alternative D recommends the Brooks Range and Porcupine Plateau WSA. Alternative E recommends all the Brooks Range, Porcupine Plateau, and Coastal Plain WSAs. Alternative F is the same, in relevant part, as Alternative A. I recommend two additional alternatives to provide for a recommendation of the Porcupine Plateau alone, or in conjunction with the Coastal Plain WSA. The current CCP alternatives are inadequate for two reasons: (1) they do not fully satisfy NEPA requirements; and (2) they do not adequately address the International Porcupine Caribou Herd Agreement and the Yukon River Salmon Agreement. These points will be elaborated upon below. In the report, the CCP authors concede that all combinations of the three WSAs were not included, alleging "we could not include all combinations and maintain a manageable number of alternatives." U.S. Fish and Wildlife Service, FWS-R7-2010-N290, Draft Comprehensive Conservation Plan And Draft Environmental Draft Environmental Impact Statement, Arctic National Wildlife Refuge, 3.13.1 (2011) available at <http://artic.fws.gov/ccp.htm>. This explanation does not pass muster, as a complete picture would require the addition of only two alternatives to the analysis. Failure to do so is a procedural mistake. It limits the agency's options going forward, and is inadequate for the reasons set forth above.

Comment 137002.002
Nathaniel Wallshein

-----Preamble/Intro-----

I recommend two additional alternatives to provide for a recommendation of the Porcupine Plateau alone, or in conjunction with the Coastal Plain WSA.

-----Comment-----

The CCC may decide to not pursue the two additional alternatives proposed in this comment, but must at least provide some rationale beyond what was mentioned at 3.1.3.1. Without additional explanation, this decision may be enough to render the EIS inadequate. *N. Alaska Env'tl. Ctr. v. Kempthorne*, 457 F.3d 969, 978 (9th Cir. 2006) (where the court held that the BLM must

substantively explain its reasoning for eliminating an alternative) [emphasis added]. However, for international policy reasons discussed below, I recommend adding these two alternatives to the final CCC.

B. International Agreements

Several treaties affect how the FWS manages the ANWR. U.S. Fish and Wildlife Service, FWS-R7-2010-N290, Draft Comprehensive Conservation Plan And Draft Environmental Impact Statement, Arctic National Wildlife Refuge, A.1.1. (2011), available at <http://artic.fws.gov/ccp.htm>. Of particular import are the International Porcupine Caribou Herd Agreement (IPCHA) and the Yukon River Salmon Agreement (YRSA). *Id.* at A.1.1.3 - A.1.1.4. The objective of the IPCHA is to conserve the herd and its habitat through international cooperation so that the risk of irreversible damage or long-term adverse effects as a result of use of caribou or their habitat is minimized. *Id.* The objective of the YRSA is to ensure the sustainability of Canadian-origin, Yukon River salmon stocks and fisheries. *Id.*

B.1. Caribou and the IPCHA

The Porcupine caribou herd annual migration cycle covers both the Coastal Plain WSA and the Porcupine Plateau WSA. In the early summer, the herd uses the coastal plain to graze and calve their young. In the fall, the herd moves onto the Porcupine Plateau WSA to rut and spend the winter in the taiga or boreal forest. This herd is sensitive to many types of human disturbance, including oil and gas development, helicopters, and recreation. Under Minimal Management, the management of the herd has been allowed to lapse over the past decade. http://www.taiga.net/pcmb/updates_19.html (A proper census of the herd was last done in 2001). A wilderness recommendation, either for the Porcupine Plateau alone, or in conjunction with the Coastal Plain WSA, would ensure that the U.S. will comply with the main objective of the IPCHA. The draft CCP acknowledges that a wilderness management is better for the Porcupine caribou herd, providing minor, long-term, WSA-wide benefits.

B.2. Salmon and the YRSA

In the Arctic Refuge, salmon that occur in and/or migrate through the Porcupine, Sheenjek, and Coleen rivers are subject to the terms of the YRSA agreement. Wilderness management will help achieve the objectives outlined in the YRSA by providing minor, long-term, WSA-wide benefits to the salmon populations. Therefore, an alternative recommending either the Porcupine Plateau alone, or in conjunction with the Coastal Plain WSA, should at least be considered by the agency.

Comment 137004.002 David Wiswar

I support Wild and Scenic River designation for the Hulahula and Kongakut rivers and feel the W&S rivers designation should have been a separate alternative.

3.3.10 Responsiveness to Goals

Comment 136805.105
Sean Parnell, Governor
State of Alaska

Page 3-54, Response to Refuge Goals, second paragraph, first sentence. While a close working relationship between the State and the Service is a shared goal, in this context we disagree that .All alternatives promote close working relationships with the State of Alaska.... Over the strong objections of the State, the draft Plan not only includes recommendations to designate wilderness and wild and scenic rivers, it also proposes management guidance that will severely limit the ability of the Department of Fish and Game to fulfill its constitutional mandates for the sustainability of fish and wildlife.

Comment 136805.106
Sean Parnell, Governor
State of Alaska

Page 3-54, § 3.4.4 Response to Refuge Goals, second paragraph, second sentence. The statement that .all alternatives discussed in this Plan support . . . commercial activities. is inaccurate. The alternatives that recommend wilderness designations do not support commercial activities. Moreover, there are a variety of statements aimed at further restricting commercial operators.

3.3.11 Comparison of Alternatives

Comment 032626.029
Greg Warren

V1, 3-38 Comparison of the Alternatives, Table 3-2: Differences between population management programs are not addressed for each alternative. Wildlife population management actions by the Refuge and ADFG should be included in the summary table.

3.4. TOPIC: ANILCA

3.4.1 Section 810 Evaluation

Comment 136820.034

Cindy Shogan, Executive Director

Alaska Wilderness League

In the CCP DEIS Section 810 Evaluation, FWS states that “[n]one of the management alternatives evaluated in this Plan propose actions that would reduce subsistence uses because of direct effects on wildlife or habitat resources or that would increase competition for subsistence resources.” DEIS at 5-87. While this may be true, the Section 810 Evaluation fails to consider whether the cumulative impacts of the proposed action may have significant restrictions on subsistence uses. To comply with ANILCA, the FWS must consider not only the direct effects, but also the cumulative impacts of the proposed action in making its determination that the proposed action would not have a significant restriction on subsistence uses. See *Sierra Club v. Penfold*, 664 F. Supp at 1310.

Comment 136817.010

Rex Rock & Edward Itta, President&CEO/Major

ASRC/North Slope Borough

For many Alaskans, particularly Alaska Natives residing in remote, rural villages, subsistence hunting, fishing, and gathering remains the primary source of food. Subsistence also remains a critical element of a culture that has survived in the harsh Arctic Alaskan environment for thousands of years. In view of this, Congress has provided clear direction that the cultural and other aspects of subsistence living must be protected. ANILCA specifically recognized that the continued opportunity for subsistence uses of public lands is critical to physical, economic, traditional, social and cultural existence of rural Native and non-Native residents of Alaska. 16 U.S.C. § 3111(1). As well, one of the purposes of the Refuge, pursuant to ANILCA, is to provide the opportunity for continued subsistence uses by local residents, consistent with the other Refuge purposes of conserving fish and wildlife populations and habitats in their natural diversity and fulfilling international treaty obligations with respect to fish and wildlife. ANILCA § 303(2)(B)(iii).

Section 810 of ANILCA, 16 U.S.C. § 3120, requires the heads of Federal agencies to evaluate the effects of any proposed land withdrawal, reservation, lease, occupancy, use, or other disposition of Federal lands upon subsistence uses. This evaluation must include findings on three specific issues: (1) the effect on subsistence uses and needs; (2) the availability of other lands for the purpose sought to be achieved; and (3) other alternatives that would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes. Section 810 also prohibits agencies from proceeding with any proposed disposition that would significantly restrict subsistence uses, without first following certain procedures and making certain findings.

Although the USFWS, as required by law, undertook such an evaluation as part of its preparation the Draft Plan, that evaluation wrongly concluded with a finding that the proposed action would not result in significant restriction to subsistence uses and needs. As the USFWS has recognized, significant restriction to subsistence uses may occur when an action may substantially limit access by subsistence users to resources. The USFWS’s section 810 evaluation concluded that, based upon section 811(b) of ANILCA and 50 C.F.R. § 36.12(a) of the Service’s regulations, “None of the alternatives would reduce subsistence uses because of limitations on access or by physical or legal barriers to harvestable resources.” Draft Plan at 5-87. Responding to concerns raised by residents of Kaktovik, ASRC, and NSB, the evaluation further explained that: “Current traditional methods and patterns of motorized and non-motorized access would not be affected by wilderness designation.

Traditional access and subsistence uses would continue to be permitted according to ANILCA and current regulations and policies.” Draft Plan at 5-94. To the contrary, we continue to maintain that wilderness designation for the Coastal Plain would impose substantial limitations on access to subsistence resources.

Of course, the USFWS is correct that “On refuge lands in Alaska, including wilderness areas, section 811(b) of ANILCA authorizes the use of snowmobiles, motorboats, dog teams, and other means of surface transportation traditionally employed by local rural residents engaged in subsistence activities.” Draft Plan at 5-87. USFWS is also correct that “This mandate is carried forward and incorporated in Service regulation in 50 CFR 36.12(a).” Draft Plan at 5-87. However, ASRC and NSB strongly disagree with the USFWS’s conclusion that, under Alternatives C and E, “Current traditional methods and patterns of motorized and non-motorized access would not be affected by wilderness designation.” Draft Plan at 5-93, 5-96. As USFWS admits, “requests for construction or location of new cabins would receive greater scrutiny.” Draft Plan at 5-93, 5-96. ASRC and NSB have no doubt that the same would be true for motorized and non-motorized access, and that this scrutiny -- and the attendant and unavoidable delays that are involved in any decision making process that involves these issues -- will lead to changes in the methods and patterns of access.

The USFWS correctly recognizes that “The subsistence user groups most affected by the Coastal Plain WSA-wide designation would be the north side Iñupiat village of Kaktovik.”[2] Draft Plan at 5-93. The Village of Kaktovik, the only village within the 19.6 million acres of the ANWR’s boundaries, is situated within the 1.5 million acres of the Coastal Plain. The population of the Kaktovik community is significantly—over eighty percent—Alaska Native or part Native. Designation of the Coastal Plain as wilderness under the Wilderness Act would severely impact the subsistence activities and traditional way of life for the residents of the Village of Kaktovik. The USFWS recognizes that the subsistence cycle for Kaktovik is constant and occurs year round. See, Draft Plan, Table 4-24 at p. 4-182. Despite being private land owners within the Coastal Plain, the Village would be surrounded by wilderness, making the villagers essentially refugees on their own land. Due to its isolation, the Village has maintained its Iñupiat Eskimo traditions. As with other rural communities in the region, subsistence hunting, fishing, and whaling are a major element of the traditional Native culture in the area and a primary source of nutrition, and play a major role in the local economy. Indeed, the USFWS recognizes that designation of the Coastal Plain as wilderness “could increase visitor use near Kaktovik’s traditional and subsistence use areas, which could increase conflicts between locals and visitors.” Draft Plan at 5-40.

In its section 810 evaluation, the USFWS makes the statement that “Some subsistence users would view the wilderness designation on their homeland as complementary to their subsistence and cultural perspective.” Draft Plan at 5-93. But USFWS also acknowledges that some of the Iñupiat residents impacted the most from wilderness designation, such as those that live in Kaktovik, would instead “view wilderness designation as a foreign concept and at variance with their traditional beliefs.” Id. Wilderness designation (and to some extent even management pending congressional action on a proposed designation) carries with it significant limitations on access and uses that will choke off traditional activities. Motorized access to the vast hunting areas around the villages by snowmachine and other vehicles, and shelters and semi-permanent structures used for camping and hunting activities, would be limited and problematic. Indeed, Alaska Native communities already confront these issues with existing nearby designated wilderness areas.

The designation of the thin ribbon of coastal plain that exists between the mountain front and the coastline as additional wilderness would compound and spread this burden. This area includes the total remainder of caribou and waterfowl hunting areas, fish camps, ancestral campsites, and existing Native allotments. Alternatives C and E propose wilderness “creep” toward the shoreline to eventually even surround privately-held lands near the Village. Life is difficult enough already with current wilderness areas. Sending this burden further northward to overlie even more fishing,

waterfowl, and caribou harvest areas, gravesites and birthplaces, Native allotments, and semi-permanent hunting shelters would be devastating to the Iñupiat Natives for whom this area is their home and source of subsistence.

Alaska's North Slope is, and has long been, the home of Alaska Native people who continue to maintain a strong connection to the land that is fundamental to our very way of life. In addition to the substantial economic value that our people (and the broader community) can draw from responsible development of the area's resources (if and when Congress permits it), the land and its resources are essential to our subsistence way of life. The designation of new wilderness areas would further foreclose already limited economic opportunities for our people. Such action also would severely impair the ability of these lands to continue to provide for subsistence use and related needs of rural residents on the North Slope by substantially limiting subsistence users' access to and use of the area's natural resources. These are precisely the interests that ANILCA was carefully designed to protect when it struck its balance between resource protection and resource use and development.

Designation of additional wilderness cannot be rationalized with the promises that have been made to the Native Americans who live on the North Slope of Alaska. Our people already are deprived of substantial economic opportunity by virtue of the fact that the Coastal Plain of the Arctic National Wildlife Refuge is closed to such activities as oil and gas development without further act of Congress, by Federal government actions that have to date prevented development of the National Petroleum Reserve-Alaska, and by other land reservations, designations, and withdrawals in the area. Recommending additional land designations that could shut down our communities' traditional activities on top of this simply cannot be squared with current Federal Indian policy.

Comment 136801.120
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

In the CCP DEIS Section 810 Evaluation, FWS states that "[n]one of the management alternatives evaluated in this Plan propose actions that would reduce subsistence uses because of direct effects on wildlife or habitat resources or that would increase competition for subsistence resources." DEIS at 5-87. While this may be true, the Section 810 Evaluation fails to consider whether the cumulative impacts of the proposed action may have significant restrictions on subsistence uses. To comply with ANILCA, the FWS must consider not only the direct effects, but also the cumulative impacts of the proposed action in making its determination that the proposed action would not have a significant restriction on subsistence uses. See *Sierra Club v. Penfold*, 664 F. Supp at 1310.

Comment 032644.005
Wade Willis
Science Now Project

-----Preamble/Intro-----

Potential negative impacts to federally qualified rural subsistence harvest opportunity from commercial guided sport hunting activities has not been evaluated in the draft CCP EIS. [see footnote 1]

-----Comment-----

Yet the perceived negative impact from commercial guided sport hunting activities is so severe in specific areas of the Arctic Refuge that the refuge is currently in the process of conducting an ANILCA 810 analysis to justify an action already taken to close commercial guided sport hunting activities in Guide Use Area (GUA) 12. The ANILCA 810 evaluations for GUA 12 are not mentioned in the draft Arctic Refuge CCP.

To date, the refuge manager has conducted no formal analysis to justify the administrative decision to revoke commercial guided sport hunting activities in GUA 10a.

Comment 136822.006
Wade Willis
Science Now Project

Lack of current analysis of impacts to federally qualified rural subsistence hunting opportunity.

The USFWS does not even mention in the draft CCP the current ANILCA 810 analysis associated with the existing closure to commercial guided sport hunting activities in guide use area 12. No formal ANILCA 810 analysis has ever been done in regards to perceived conflicts that have resulted in the closure of what is termed as guide use area 10A.

Comment 137012.001
Wade Willis
Science Now Project

A status update of the Guide Use Area 12 ANILCA 810 analysis.

- i. Why was the need for this particular 810 analysis not identified in the draft CCP?
- ii. Why was the GUA 12 810 analysis not included in the draft CCP?

Comment 137012.002
Wade Willis
Science Now Project

A portion of GUA 10 is currently revoked for all commercial guided sport hunting activities yet it is my understanding the refuge manager is not planning to conduct an 810 analysis for GUA 10.

- i. Can you provide any formal statements of reason or findings justifying the revocation of commercial guided sport hunting activities in portions of GUA 10?
- ii. If negative impacts to refuge management mandates other than subsistence are the primary issue, please provide the specific concern the refuge manager is mitigating by this revocation with supporting data such as historical high rates of sport harvest or effort, or direct negative impacts to the sheep population.

I have spoken to Richard on several occasions regarding the revocation of GUA 12 and portions of GUA 10 for commercial hunting services. It is my understanding that he has never released a formal “finding” of potential negative impact to either subsistence hunting opportunity or a management mandates for either GUA, yet, through administrative decision, has denied commercial guided sport hunting activities in both GUA’s based on a “perceived” negative impact of some kind. If there is any type of document justifying those decisions, I’d like to get a copy.

The result of these administrative decisions in ANWR has resulted in citizens of the US (e.g. non residents) being denied access to the refuge regarding using a state issued sport hunting harvest ticket for sheep or brown bear. When a decision of a refuge manager denies public access to the refuge, and revokes the state’s right to authorize harvest of wildlife as defined by ANILCA, the highest attention to procedural protocol and documentation of the perceived negative impact should be followed in the Science Now Projects opinion.

In addition, if the impacts of commercial harvest of wildlife is so significant that restricting public access is required, you would assume the issue would be at the forefront of the draft CCP revision process – which it is not. I am aware of no other issue regarding the management of ANWR resources that has resulted in the need to restrict public access to the refuge.

I understand the issue, have direct experience as a commercial operator in ANWR, and agree that both areas have valid concerns. What I am looking for is the refuge to identify the problem in a formal document and to identify the justification for the administrative decision, which in this case, appears to lack any formal analysis of the “perceived” problem. The public deserves to have this information.

The regional and refuge specific policies for the management of consumptive take, including commercial harvest, need to be improved in my opinion. I understand that my opinion is not shared by some, but actions speak louder than words, and the actions of the refuge manager in ANWR would suggest a significant impact is occurring from consumptive take in ANWR.

As you know, yesterday I stressed that the consumptive take of wildlife in ANWR is the most pressing management issue for the USFWS in the Science Now Projects opinion. It’s overdue for this “issue” to be elevated beyond quiet administrative decisions and find the light of public awareness, debate and review. Adding to my concern is that fact that Geoff, through an administrative action, is considering issuing a memo directing refuge managers to elevate the subsistence take of wildlife to the highest level of management priority. This only exemplifies the immediate need for public involvement in ANWR’s consumptive take problems.

That the Arctic refuge is preferring to keep the review of consumptive take during the CCP process to a minimum and address the issue formally after the CCP review process-- is disappointing but not unexpected.

Comment 137014.030
Dan Ritzman, Alaska Program Director
Sierra Club

In the CCP DEIS Section 810 Evaluation, FWS states that “[n]one of the management alternatives evaluated in this Plan propose actions that would reduce subsistence uses because of direct effects on wildlife or habitat resources or that would increase competition for subsistence resources.” DEIS at 5-87. While this may be true, the Section 810 Evaluation fails to consider whether the cumulative impacts of the proposed action may have significant restrictions on subsistence uses. To comply with ANILCA, the FWS must consider not only the direct effects, but also the cumulative impacts of the proposed action in making its determination that the proposed action would not have a significant restriction on subsistence uses. See *Sierra Club v. Penfold*, 664 F. Supp at 1310.

Comment 032627.054
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

C) The FWS Failed to Consider the Cumulative Impacts of the Action in the ANILCA Section 810 Evaluation Title VIII of ANILCA recognizes that subsistence uses are a public interest and provides a framework to consider and protect subsistence uses in agency decision making processes. 16 U.S.C. §§ 3111–3126. As the Supreme Court explained:

[t]he purpose of ANILCA § 810 is to protect Alaskan subsistence resources from unnecessary

destruction. Section 810 does not prohibit all federal land use actions which would adversely affect subsistence resources but sets forth a procedure through which such effects must be considered and provides that actions which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized.

Amoco Production Co. v. Village of Gambell, Alaska, 480 U.S. 531, 544 (1987).

Thus, ANILCA § 810 imposes a two-tiered process to evaluate a project's impacts on subsistence uses. First, the federal agency:

[i]n determining whether to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands . . . shall evaluate the effect of such use, occupancy, or disposition on subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes.

ANILCA § 810(a), 16 U.S.C. § 3120(a). This initial finding is referred to as the "tier-1" determination, *Hanlon v. Barton*, 470 F. Supp. 1446, 1448 (D. Alaska 1988), and requires the agency to consider the cumulative impacts in making the determination. *Sierra Club v. Penfold*, 664 F. Supp. 1299, 1310 (D. Alaska 1987), *aff'd* by *Sierra Club v. Penfold*, 857 F.2d 1307 (9th Cir. 1988).

If the agency, after conducting the tier-1 analysis, determines that the activity will not "significantly restrict subsistence uses," 16 U.S.C. § 3120(a), then the agency issues a Finding of No Significant Restriction (FONSR) and the requirements of ANILCA § 810 are satisfied. However, if the agency makes the initial determination that the action would "significantly restrict subsistence uses," the agency must then make conduct a "teir-2" analysis, *Kunaknana v. Clark*, 742 F.2d 1145, 1151 (9th Cir. 1984); *Hanlon*, 470 F. Supp. at 1448. Under teir-2, the agency must determine whether any restriction on subsistence is necessary, involves the minimal amount of public lands necessary to accomplish the purpose of the use, occupancy or disposition of public lands, and takes steps to minimize the adverse impacts to subsistence uses and resources. 16 U.S.C. § 3120(a)(1)–(3). Thus, as the Ninth Circuit explained, ANILCA § 810 imposes procedural requirements as well as substantive restrictions on the agency's decisions. *Sierra Club v. Marsh*, 872 F.2d 497, 502–03 (9th Cir. 1989).

-----Comment-----

In the CCP DEIS Section 810 Evaluation, FWS states that "[n]one of the management alternatives evaluated in this Plan propose actions that would reduce subsistence uses because of direct effects on wildlife or habitat resources or that would increase competition for subsistence resources." DEIS at 5-87. While this may be true, the Section 810 Evaluation fails to consider whether the cumulative impacts of the proposed action may have significant restrictions on subsistence uses. To comply with ANILCA, the FWS must consider not only the direct effects, but also the cumulative impacts of the proposed action in making its determination that the proposed action would not have a significant restriction on subsistence uses. See *Sierra Club v. Penfold*, 664 F. Supp at 1310.

3.4.2 Designated Wilderness and ANILCA

Comment 032619.008
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

We take exception to the incorporation of the Wilderness Review in the draft CCP process because it violates the spirit of ANILCA which seeks to curtail further wilderness designations in Alaska and

because it results from an arbitrary policy decision of the refuge that is unsupported by congressional law.

Comment 000097.002

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

31 reviewing ANWR for wilderness designations violates
32 ANILCA's no more clause. For the coastal plain, the
33 Service only considered additional wilderness as an
34 alternative and did not consider opening the area to
35 development, a clear violation of Section 1326.

Comment 032620.005

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

ANILCA Prohibits, Not Authorizes, New Proposals for ANWR Wilderness

The only authorization in ANILCA for DOI proposals for wilderness designations in the national parks and wildlife refuges in Alaska is Section 1317. However, this section prohibits the wilderness reviews contained in the CCP/EIS.

Section 1317 mandated review of additional wilderness in the parks and refuges within five years after ANILCA's enactment: GENERAL WILDERNESS REVIEW PROVISION §1317. (a) Within five years from the date of enactment of this Act, the Secretary shall, in accordance with the provisions of §3(d) of the Wilderness Act relating to public notice, public hearings, and review by State and other agencies, review, as to their suitability or unsuitability for preservation as wilderness, all lands within units of the National Park System and units of the National Wildlife Refuge System in Alaska not designated as wilderness by this Act and report his findings to the President.

(b) The Secretary shall conduct his review, and the President shall advise the United States Senate and House of Representatives of his in accordance with the provisions of §3(c) and §(d) of the Wilderness Act. The President shall advise the Congress of his recommendations with respect to such areas within seven years from the date of enactment of this Act.

(c) Nothing in this section shall be construed as affecting the administration of any unit of the National Park System or unit of National Wildlife Refuge System in accordance with this Act or other applicable provisions of law unless and until Congress provides otherwise by taking action on any Presidential recommendation made pursuant to subsection (b) of this section.

Id. (emphasis added). The authority under this section was time limited: five years for DOI to “review as to their suitability or unsuitability for preservation as wilderness, all lands” in the parks and refuges. The authority to conduct the review expired more than two decades ago. The time limit of Section 1317(a) independently bars any DOI wilderness recommendations outside the authorized time.

Were there any doubt that Congress knew how to instead delegate continuing authority to conduct wilderness reviews when it wanted to, one need look no further than Section 1320 of ANILCA to dispel it. That section solely addresses BLM land management in Alaska¹² and does not apply to national wildlife refuges or USFWS. It provides in relevant part that “the Secretary may identify areas in Alaska which he determines are suitable as wilderness and may, from time to time, make recommendations to the Congress for inclusion of any such areas in the National Wilderness Preservation System...”¹³ The language of Section 1320 is dispositive of any contention that

Congress, in spite of the express time limit of Section 1317(a), somehow instead intended to authorize or permit new wilderness proposals decades later. It did not.

Finally, the time limit of Section 1317(a), while dispositive here, does not stand on its own. It must be read in conjunction not only with Section 1320, but also with the “no more” clause of Section 1326(b) and the broader policy statement of Section 101(d). Together, these clauses flatly prohibit new studies and recommendations for wilderness in ANWR.

Comment 032620.017

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

Page H-27: Wilderness Reviews

The concept of “symbolic wilderness” is problematic for many reasons, especially if applied to the 1002 coastal plain area. This incorrectly presumes that ANWR should be managed to maintain an abstract symbolic status in the minds of those who have never visited the Refuge. Important to remember is that Congress designated 8 million acres of actual, not symbolic, wilderness in the Refuge. This fulfilled the wilderness purpose of the original Range. The 19 million acre Refuge as a whole is the size of several states, and as contemplated in ANILCA can be managed for different purposes without impacting the actual wilderness Congress established.

Comment 032614.001

**Wendy Lindskoog, Vice President Corporate Affairs
Alaska Railroad**

New Wilderness and Wild and Scenic River designations clearly violate the “no more” clauses of ANILCA and go against the original intent of Congress and the law.

Comment 032649.001

**John Coghill, Alaska State Senator, District F
Alaska State Legislature**

I strongly urge adoption of Alternative A - No Action and contend that any change in the management of the 1002 Coastal Plain area of ANWR resulting in wilderness classification or any change to valid existing rights, including hunting and fishing, without Congressional action is a violation of ANILCA and further federal broken promises to State of Alaska and its people.

Comment 000081.001

**Dan Saddler, Representative, District 18
Alaska State Legislature**

8 The Interior Department has already
9 concluded oil development would have minimal impact on
10 wildlife. Alaska did receive a process of no more
11 wilderness after we acceded to ANILCA and all but two
12 of these alternatives would violate that process.
13 Though there are several alternatives for creating
14 wilderness, not one of these alternatives would call
15 for oil and gas development.

Comment 136818.001

**Richard Ranger, Senior Policy Advisor
American Petroleum Institute**

The Alaska National Interest Lands Conservation Act (ANILCA) restricts the authority to study [or to designate] new federal wilderness areas in wildlife refuges and parks in Alaska, including in the Arctic NWR, without further act of Congress [1]. ANILCA established the Arctic NWR in its present form and with its present purposes, including doubling the size and designating some 8 million acres of the original Arctic National Wildlife Range as wilderness under the Wilderness Act of 1964 – except the coastal plain that is the subject of Section 1002 of ANILCA, and the portion of the Arctic NWR that is the principal concern of this letter. Any action USFWS proposes to undertake with respect to the Arctic NWR coastal plain must observe the statutory requirements of ANILCA. Such actions must also observe Congressional intent and the statutory purposes expressed in Section 1002, and acknowledge the possibility of leasing, exploration and development of oil and natural gas resources on the coastal plain.

Comment 136818.003

**Richard Ranger, Senior Policy Advisor
American Petroleum Institute**

In passing ANILCA, Congress recognized the importance of both the environmental and energy resources of the Arctic NWR, by specifying in Section 1002 of ANILCA that about 1.5 million acres of the coastal plain on the Refuge (or about 8 percent of its 19 million acres) should be subject to a thorough resource evaluation. ANILCA mandated USFWS to periodically revisit the issue of oil and gas activity within the so-called “1002 area”. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. Until Congress takes action, no production of oil and natural gas from the Refuge is allowed, nor may leasing and development leading to production take place. As will be further detailed in comments to be filed by the Alaska Oil and Gas Association, ANILCA also disclaims the need for future establishment of additional conservation system units (including new wilderness areas) in Alaska. The statute restricts executive authority to consider these except as authorized by ANILCA itself or further acts of Congress. See, e.g., Sections 101(d) and 1326. Section 1326(b) of ANILCA is designed to foreclose exactly the actions which the CCP is purporting to undertake: new studies considering the establishment of new conservation system units in Alaska.

Comment 136818.004

**Richard Ranger, Senior Policy Advisor
American Petroleum Institute**

the time for any proposal for more wilderness in national parks or wildlife refuges under ANILCA was specifically limited under Section 1317 to five years after the statute’s enactment. That time period has long since concluded. No provision of ANILCA, or any other controlling law, authorizes such an agency proposal decades later, and such a proposal is precluded by Sections 102(d), 1317 and 1326(b) of the statute.

Comment 032636.001

**Matthew Fagnani, Member, Board of Directors, Executive Committee
Arctic Power**

Alternatives "c" and "E" of the Draft CCP recommend the additional inclusion of the 10-02 Coastal Plain for Wilderness status.

This recommendation conflicts with the "No More Clause" of Alaska National Interest Lands Conservation Act (ANILCA), ANWR's creation bill, which specifically prohibits the study and designation of new land in Alaska as wilderness without express permission from congress. The draft defends itself from conflict with the "No More Clause" by stating the USFWS does not view the CCP as a study for inclusion of "new" land, because it claims the land within the ANWR border is already protected by refuge system rules thus it is not "new".

The intention of the debate when the "no more clause" was adopted was to prevent the study or declaration of wilderness of additional federal land within the state by any other government entity besides Congress. By claiming that the 10-02 Coastal Plain is not new land, the USFWS is ignoring the intent of congress when ANILCA was put forward. The 10-02 Area was set aside with the intent to study potential development for oil and gas.

Comment 032636.003

**Matthew Fagnani, Member, Board of Directors, Executive Committee
Arctic Power**

The purpose of the ANILCA clause is to allow the USFWS to mitigate impact land use and not lock up new land. Recommending the designation of wilderness violates the precedent set by ANILCA and goes against the intended purpose of the 10-02 Coastal Plain.

Comment 136817.001

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

The USFWS appropriately has placed "off the table" any discussion or consideration of whether the 1002 Area should be made available for oil and gas development. ASRC and NSB believe that the issue of when/whether oil and gas development should be authorized in the 1002 area is inextricably linked with the process of conducting a wilderness review and recommending/not recommending the 1002 area for wilderness designation and, because Congress clearly reserved for itself the task of making the determination, the USFWS should now abandon any consideration of any alternative, such as Alternative C and Alternative E, that would include recommendation of the 1002 Area for wilderness designation by Congress.

Indeed, the USFWS should not take any action through this CCP revision process that would have the intent or effect of prejudging Congress's decision relating to this reserved authority. It is difficult to envision how the USFWS can undertake wilderness review of the 1002 Area and consider recommendation of the area for wilderness designation independent of the issues that the agency has recognized are reserved by law for congressional decision and beyond the scope of this CCP revision process. In fact, the Draft Plan recognizes as much when it admits that, under Alternative C, the likelihood of opening the 1002 Area to oil and gas exploration would be substantially reduced." Draft Plan at 5-33 (emphasis added). It further states that, under Alternative C, "[w]ilderness designation could have a major, long-term, regional or greater and negative effect on economic development by restricting potential oil and gas exploration and development of the 1002 Area." Draft Plan at 5-39.

Conversely, in its discussion of the environmental consequences of Alternative F, the Draft Plan states “No additional wilderness recommendations could allow for the 1002 Area to more easily be opened by Congress to oil and gas, preserving this potential economic opportunity.” Draft Plan at 5-71.

Any assertion, therefore, that the USFWS will not address in this planning process whether or not the Coastal Plain should be made available for oil and gas development is specious at best. The USFWS itself explicitly acknowledges that its decision whether or not to recommend the Coastal Plan for wilderness designation will substantially impact whether or not the area is opened to potential oil and gas exploration and development. Given the agency’s recognition that Congress has reserved for itself the decision as to whether or not the Coastal Plain should be made available for oil and gas development, further consideration of alternatives that would recommend wilderness designation for the 1002 Area simply distracts the agency and the public from giving appropriate attention to the other important issues at stake in revising the CCP, and undermines congressional authority to make the ultimate decision on oil and gas development.

Comment 136817.002
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

Despite the explanation set forth in section D.2.1 of the Draft Plan, the Secretary’s effort to consider recommending wilderness designation of additional wilderness areas on Alaska’s North Slope is, in fact, fundamentally inconsistent with the provisions of ANILCA that were carefully drafted to ensure a balance between protection of scenic, natural, cultural and environmental values and satisfaction of the economic and social needs of the State of Alaska and its people. Notably, as further discussed below, and contrary to statements in the Draft Plan, it is also inconsistent with Service policy.

Section 101(d) of ANILCA expressly recognizes that “the Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people.” Accordingly, in that section, Congress found that “the designation and disposition of the public lands in Alaska” pursuant to ANILCA “represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition.” Thus, section 101(d) states that ANILCA obviated “the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas,” including new units of the National Wilderness Preservation System. See ANILCA § 102(4).

This critically important point is again made in the “no more” provision of section 1326 of ANILCA. This provision expressly limits the authority of the executive branch to establish or expand conservation areas in the state, again based upon Congress’s determination that ANILCA established “a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition.” Although we recognize that Congress would have the ultimate say in whether any additional lands are designated as wilderness, by considering alternatives that would recommend new wilderness areas, the actions contemplated by the USFWS in the wilderness review and identification of alternatives inappropriately strikes a new balance that would further favor the protection of wilderness characteristics and diminish the availability of lands for uses that may be inconsistent with the protection of such characteristics.

Wilderness recommendation of certain areas on Alaska's North Slope also would be inconsistent with section 1001 of ANILCA. Section 1001(b) of ANILCA did authorize the Secretary of the Interior to undertake a study to "review the wilderness characteristics, and make recommendations for wilderness designation" of "all Federal lands (other than submerged lands on the Outer Continental Shelf) in Alaska north of 68 degrees north latitude and east of the western boundary of the National Petroleum Reserve Alaska other than lands included in the National Petroleum Reserve Alaska and in conservation system units established under [ANILCA]." See also ANILCA § 1004. And, section 1001(c), in addition to calling for the Secretary to make findings on "the potential oil and gas resources of these lands," called for the Secretary to make findings on "the national interest in preservation of the wilderness characteristics of these lands."

Comment 136817.004
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

The Draft Plan's response to these provisions of ANILCA is not consistent with the policies cited for its support. First, with respect to the issue of whether a wilderness review is required, the Draft Plan erroneously relies on USFWS policy as a basis for conducting a wilderness review for ANWR during this planning process. Draft Plan at D-3. As a threshold matter, it does not make sense to suggest, as the Draft Plan does, that general Service policy must be followed even when fundamentally inconsistent with specific statutory authority governing the Service's management of particular areas. But, the Draft Plan does not even accurately describe the cited policies, which do, in fact, recognize the unique provisions of ANILCA and did not require a wilderness review as part of this planning process. 601 FW 3 does not address wilderness review. While 610 FW 4 does at least address wilderness review, it does not, as the Draft Plan states, direct refuges in Alaska to conduct wilderness reviews during comprehensive conservation planning. In fact, paragraph 4.2 of 610 FW 4 explicitly states just the opposite:

This chapter covers all lands of the National Wildlife Refuge System (Refuge System) that are outside of Alaska, are not currently designated wilderness, and are subject to wilderness review. Wilderness reviews are not required for refuges in Alaska. Refer to 610 FW 5.17 for additional guidance for Alaska.

610 FW 4 (emphasis added). And paragraph 5.17 of 610 FW 5.17, explicitly addressing the question whether the Service conducts wilderness reviews of refuge lands in Alaska, makes the point again: We have completed wilderness reviews for refuges in Alaska in accordance with section 1317 of ANILCA. Additional wilderness reviews as described in the refuge planning policy (602 FW 1 and 3) are not required for refuges in Alaska. During preparation of CCPs for refuges in Alaska, we follow the provisions of section 304(g) of ANILCA, which requires us to identify and describe the special values of the refuge, including wilderness values. Subsequently, the CCP must designate areas within the refuge according to their respective resources and values and specify the programs for maintaining those values. However, ANILCA does not require that we incorporate formal recommendations for wilderness designation in CCPs and CCP revisions.

610 FW 5.17 (emphasis added). Accordingly, the Draft Plan's statement that Service policy directs refuges in Alaska to conduct wilderness reviews during cooperative conservation planning is wrong. The Service's cited policies therefore provide no basis whatsoever for undertaking a wilderness review as part of this planning process.

Comment 136817.006
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

The Draft Plan further erroneously asserts that section 1004 of ANILCA requires the Refuge “to maintain the wilderness character of the Coastal Plain and its suitability for inclusion in the National Wilderness Preservation System.” Draft Plan at D-3, 5-38, 5-61. Section 1004 directed the Secretary, as part of the study required by section 1001, to “review the suitability or nonsuitability for preservation as wilderness of the Federal lands described in section 1001 and report his findings to the President.” 16 U.S.C. § 3144(a). Section 1004 further provided for “the wilderness study area designated by this section” 1004 to be administered by the Secretary to maintain then-existing wilderness character and potential for inclusion in the National Wilderness Preservation System. 16 U.S.C. § 3144(c). This requirement, in accordance with its express language, was clearly limited to the wilderness study area designated by 1004. It did not extend to other areas of the Refuge. Any other reading of the statute, such as that adopted by USFWS in the Draft Plan, is wrong.[1] In fact, USFWS policies do not impose such a requirement in wilderness study areas (“WSAs”), recommended wilderness, and proposed wilderness in Alaska. In this regard, Paragraph 5.18 of 610 FW 5.17 makes clear that: The review provisions of ANILCA (see section 1317(e)) do not affect the normal administration and management of the affected areas of the refuge until Congress takes action. We will manage WSAs, recommended wilderness, and proposed wilderness according to the management direction in the CCP for these areas. In Alaska, MRAs are not required for proposed refuge management activities and commercial services in WSAs, recommended wilderness, and proposed wilderness.

610 FW 5.17. Thus, even WSAs, recommended wilderness, and proposed wilderness in Alaska are to be managed in accordance with the normal management direction in the plan, and not managed to maintain the area’s wilderness character and its suitability for inclusion in the National Wilderness Preservation System.

Comment 136817.007
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

Second, with respect to the issue of whether a wilderness review violates the “no more” clause referenced above, the USFWS has indicated that it believes that such reviews do not violate ANILCA “because the reviews do not constitute a withdrawal nor are they being conducted for the sole purpose of establishing a conservation system unit.” Draft Plan at 3-6. ASRC and NSB respectfully suggest that this is an attempt to draw a distinction without a difference. Sections 101(d) and 1326 of ANILCA clearly evidence Congressional intent that ANILCA sets forth the complete and sole plan for management of public lands in Alaska, and that absent further Congressional action, further establishment or designation of lands is not necessary nor authorized. We note that Section 1326 (b) -- which contains the “sole purpose of establishing a conservation unit” language that is cited by the USFWS -- states in its entirety:

No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation areas or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.

16 U.S.C. § 3213(b)(emphasis added).

ASRC and NSB submit that the purpose of the wilderness review that is at issue here is both related to and similar to studies that are undertaken for the purpose of “considering the establishment of a conservation system unit, national recreation area, national conservation areas.” To that end, we believe that undertaking this review violates the prohibition set forth in Section 1326(b) of ANILCA.

Accordingly, nothing in the Draft Plan’s discussion of the ANILCA “No More” clauses provides a legitimate basis for the USFWS’s decision to conduct a wilderness review of the Coastal Plain of ANWR. In fact, Section 1326(b) of ANILCA expressly prohibits such a review, and the decision to undertake the review was inconsistent with USFWS policy and with ANILCA. Any further action to pursue recommendation of the Coastal Plain for designation as wilderness on the basis of this review would be similarly contrary to USFWS policy and ANILCA. Congress spelled out the respective roles and responsibilities of USFWS and Congress with respect to the underlying issue of oil and gas development in ANWR, including in the Coastal Plain. The USFWS fulfilled its limited role on this issue when it submitted the LEIS and embedded ANILCA Report to Congress in 1987; further decision making regarding oil and gas development rests solely with Congress. The USFWS, therefore, must abandon any further consideration of Alternatives C and E, or any other option that would include wilderness recommendation for the Coastal Plain, as it moves to finalize its plan. And for the reasons stated above, ASRC and NSB also oppose any alternatives that include wilderness recommendations for any other portions of the Refuge.

Comment 136817.008
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

The Draft Plan also misconstrues section 1317 of ANILCA in an apparent effort to support its assertion of authority to conduct a wilderness review of the Coastal Plain. In the Draft Plan, the USFWS asserts that “Section 1317 of ANILCA requires that all refuge lands that were not designated as wilderness to be reviewed as to their suitability for wilderness designation.” Draft Plan at A-5. However, the USFWS glosses over the specific language of section 1317 and ignores the fact that section 1317 set forth a one-time process for wilderness review, with specific timeframes, and that the limited review provided for by the language already has been completed.

In this regard, section 1317 of ANILCA provides that “Within five years from the date of enactment of this Act, the Secretary shall, in accordance with the provisions of §3(d) of the Wilderness Act relating to public notice, public hearings, and review by State and other agencies, review, as to their suitability or nonsuitability for preservation as wilderness, all lands within units of the National Park System and units of the National Wildlife Refuge System in Alaska not designated as wilderness by this Act and report his findings to the President.” 16 U.S.C. §3205(a) (emphasis added). It further provides that “The Secretary shall conduct his review, and the President shall advise the United States Senate and House of Representatives of his in accordance with the provisions of §3(c) and §(d) of the Wilderness Act. The President shall advise the Congress of his recommendations with respect to such areas within seven years from the date of enactment of this Act.” 16 U.S.C. §3205(b) (emphasis added). This general wilderness review authorized by section 1317 was completed years ago. There is nothing whatsoever in section 1317 to indicate that Congress intended that this section provide the USFWS continuing authority to conduct wilderness reviews of all non-designated lands within the National Park System and National Wildlife Refuge System in Alaska ad infinitum. In fact, section 1317’s language is much to the contrary. Accordingly, the Draft Plan’s erroneous description of section 1317 should be struck from the Plan.

Comment 136824.001
John MacKinnon, Executive Director
Associated General Contractors of Alaska

Not only would new Wilderness and Wild and Scenic River designations violate the “no more” clauses of ANILCA, they would go against the original intent of Congress and the law.

Comment 136809.002
William C. Reffalt, Vice President and Issues Coordinator
Blue Goose Alliance

-----Preamble/Intro-----

Comments Directed to Specific Planning Issues

Beyond that summary and brief explanation, the Alliance herein offers a number of observations and comments regarding sections of the CCP that we believe have need of improved explanations or corrections to inadequate presentations in the current draft. We offer these in the spirit of assisting Refuge personnel in making the final CCP as informative, factual and friendly to the reader as possible. The CCP document is obviously a complex compilation of factual materials and explanations of intended future management protocols which includes compliance with the regulations of the Council on Environmental Quality regarding Environmental Impact Statements and public outreach.

-----Comment-----

B. Section 1326 (a) and 1326 (b): The discussion in the Draft CCP is not accurate and, in fact, is misleading. It would be more informative to quote the provisions in the Act.

Section 1326 (a) is actually an authorization for withdrawals, under existing provisions of law (such as the 1906 National Monuments authority of the President, or the authorities found in Section 204 of the Federal Land Policy Management Act), when such lawful withdrawals contain more than 5,000 acres of public lands. It places two provisos on such withdrawals—1) that the “...withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress” and, 2) that “Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress.” Many land designations are not “withdrawals” and therefore would not be affected by this section. For example, the recent decision by FWS to establish a Landscape Conservation Cooperative (LCC) does not abridge, in the view of this author (and apparently in the view of FWS), Section 1326 (a) constraints and, therefore does not require the Federal Register notice or a notice to both houses of Congress. In the same light, designation within the Arctic National Wildlife Refuge of an area “Free of Commercial Activity and Mechanization” in the Firth-Mancha RNA as discussed in the Draft CCP in Appendix D (at D-7) would not be contrary to Section 1326 (a). It would entail designation of a special regulations area within an established “Conservation System Unit”, rather than “withdrawal” of some new area on otherwise general public lands. The Refuge has ample authority to accomplish the ends it believes desirable in such a designation. The provision of “natural quiet” and an area free from mechanization would be a truly welcome relief to many hikers and campers and I can think of no better place to install such an area within the NWRS than in the Arctic NWR.

Section 1326 (b) constrains itself with the condition that the studies to be prohibited include only those that would be for the single purpose of considering the establishment of a new conservation system unit (CSU), etc. Thus, studies that have broader purposes but may include such consideration of a new CSU, would not violate the provision.

In both Subsections 1326 (a) and (b) the emphasis is placed on new CSUs. Thus, within existing CSUs, such as the Arctic NWR, by normal logic and legislative inference, the prohibitions would not

apply. There are numerous provisions in the Act calling upon the implementing agencies to conduct studies, consider future designations such as Wilderness and Wild and Scenic River, etc., that clearly place an expectation in Congress that agencies will conduct such work and make appropriate recommendations to the Congress. If such was not intended, Section 1326 (a) would contain an opening proviso: "Notwithstanding other provisions of law, including this Act" The lack of that proviso is strong evidence that the 96th Congress was not attempting to circumvent agency requirements and activities under the numerous laws by which they must abide, including ANCSA and ANILCA.

Discussion of these matters, along the lines contained herein, would be more illuminating and helpful to the general public interested in this Refuge and its future programs.

Comment 032635.001
June McAtee, VP, Land & Shareholder Services
Calista Corporation

The original exclusion by Congress of the "1002 area" from the ANWR Wilderness block was a compromise struck with Alaska under ANILCA to enable the area to be developed for energy in the future.

The ANILCA compromise doubled the Arctic Refuge's size, but mandated a study of the "1002 area's" environment and petroleum resources. Subsequent Department of Interior's (DOI) 1987 reports concluded responsible oil development would have minimal impacts on wildlife and recommended Congress open the coastal plain to development. As part of the ANWR Comprehensive Conservation Plan (CCP) update, the U.S. Fish and Wildlife Service (USFWS) will conduct a review of refuge lands to determine if additional acreage should be designated Wilderness. It is of great concern that the question of wilderness designation will be raised once again because it was studied in-depth previously and the final DOI recommendations yet to be acted upon.

As an Alaska Native and a citizen of Alaska and the United States, I believe the federal government and Congress should uphold the promises made to the state-for access, responsible development and the use of Alaska's land and resources to provide economic opportunities and jobs. We can both develop resources and protect our wildlife. Technological advances today make it possible to develop the coastal plain's energy reserves while utilizing very little footprint. Such development would allow access to energy needed by Americans without significant disturbance to wildlife.

Comment 032675.003
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The Commission's scoping comments submitted in June 2010 strongly objected to the decision to conduct suitability and eligibility reviews for the purpose of developing recommendations for additional wilderness within the Arctic Refuge. The question of additional wilderness designations for all national wildlife refuge units in Alaska was previously addressed in reviews authorized by ANILCA Section 1317. This section is the only authority for conducting wilderness reviews within National Wildlife Refuges in Alaska and has long been recognized in both policy and practice.

The original reviews were required to be completed within five years from the date of enactment of ANILCA, with any recommendations for additional wilderness to be submitted to Congress within seven years of the date of enactment. Both of those deadlines are long past and there is no authority to conduct further reviews.

The wilderness review for the Arctic Refuge, excluding the 1002 area, was conducted in conjunction with the development of the original CCP. The November 1988 Record of Decision for the CCP and Final EIS selected an alternative that represented the management situation existing at that time. It contained no proposal or recommendation for additional wilderness.

Comment 032617.001

Don Young, Congressman

Congress of the United States, House of Representatives

I understand it is necessary to update the twenty-two year old plan, however, further wilderness reviews for ANWR are unjustified. Alaska has much of its land protected and supplementary protection for the refuge will result in additional restrictive consequences for the State of Alaska and the U.S. resource potential. The FWS has no authority to declare additional wilderness designations within the existing refuge. Therefore, the actions of the FWS are nothing more than a gross waste of taxpayer money and an overstep in authority.

Comment 032617.002

Don Young, Congressman

Congress of the United States, House of Representatives

As a result of these concessions, ANILCA contains provisions known as the "No More" clauses, which unmistakably clarify that Alaska has given its share of land for federal conservation system units (CSU). For example, Section 101 (d) states that the need for more parks, preserves, monuments, wild and scenic rivers in Alaska has been met. Moreover, Section 1326(a) states that administrative withdrawals, such as the Antiquities Act, can no longer be used in Alaska unless, "Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress." In addition, Section 1326(b) states that federal agencies are not even allowed to study lands for consideration for set-asides unless Congress specifically authorizes the study. The United States Congress has not authorized a Wilderness study ANWR, and one shouldn't have been a part of the CCP.

Comment 009536.001

Lisa Herbert, Executive Director

Fairbanks Chamber of Commerce

In our view, a wilderness designation of the Coastal Plain would be in violation of the "no more" clauses in ANILCA, the intent of the 1002 area, and Alaska statehood.

Comment 136982.001

Mike Miller, Business Development Manager, Alaska Region

Granite Construction Company

Not only would new Wilderness and Wild and Scenic River designations violate the "no more" clauses of ANILCA, they would go against the original intent of Congress and the law.

Comment 000075.001
Carl Portman, Deputy Director
Resource Development Council

42 RDC is strongly opposed to new Federal
43 wilderness and Wild and Scenic River designations in
44 ANWR and the mere implications of such consideration is
45 inconsistent with the promises that were made in
46 ANILCA. In our view, any such designations are in
47 violation of the intent of the 1002 area and Alaska
48 statehood.

Comment 136806.001
Carl Portman, Deputy Director
Resource Development Council for Alaska Inc.

DC is advocating for Alaska's and, indeed, our nation's interests in urging the Service to recommend to Congress that the 1002 area be opened to responsible oil and gas exploration and development, as was recommended by the Department of Interior over 20 years ago. RDC is strongly opposed to new federal Wilderness and wild and scenic river designations in ANWR and the mere implication of such consideration is inconsistent with promises that were made in ANILCA. In our view, any such designations are in violation of the "no more" clauses in ANILCA and the intent of the 1002 area and Alaska statehood.

The 1002 area was excluded from the existing Wilderness designation in a compromise struck under the 1980 Alaska Lands Act. In exchange, Congress doubled the size of the refuge and designated eight million acres outside the 1002 area as Wilderness. In recognizing the 1002 area's enormous oil and gas potential, Congress mandated a study of its petroleum resources, as well as its wildlife and environmental values. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended the 1002 area be opened. In 1995, Congress voted to open the area to exploration, but President Clinton vetoed the measure.

Under ANILCA, the Service has a mandate to periodically revisit the issue of oil and gas development within the 1002 area. In our view, the mandate is clearer than the authority the Service claims to have on revisiting the wilderness suitability and wild and scenic river eligibility issues. In addition, there has been considerable improvements in oil and gas exploration and development technology that has greatly reduced industry's footprint in the many years since the original study was completed. These improvements would make it possible to develop the 1002 area's energy reserves while directly utilizing only a fraction of the area.

We now have a Draft CCP that proposes several alternatives that include new Wilderness designations for ANWR while refusing to even consider oil and gas development in the 1002 area. The mere fact that an alternative requires legislative implementation, such as oil and gas activity in the 1002 area, does not automatically establish it as beyond the domain of what is required for discussion and consideration in the CCP.

Moreover, ANILCA provides that the purpose of Section 1002 "is to provide for a comprehensive and continuing inventory of the assessment of fish and wildlife resources....an analysis of the impacts of oil and gas exploration development and production, and to authorize exploratory activity within the coastal plain." The statute goes on to provide that the Secretary of the Interior must provide Congress with recommendations "with respect to whether further exploration for, and the development and production of, oil and gas within the coastal plain should be permitted and, if so, what additional legal authority is necessary to ensure that the adverse effects of such activities on

fish and wildlife, their habitats, and other resources are avoided or minimized.”

Therefore, in our view, the Service is required by statute to evaluate the impacts of oil and gas exploration. In addition, it is a violation of NEPA not to do so, given the law provides that federal agencies must “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.” There is certainly a conflict over competing uses of the 1002 area. As a result, the Service must consider oil and gas development as an alternative.

Comment 136805.001

**Sean Parnell, Governor
State of Alaska**

The State reiterates its strong objection to this new ANILCA Section 1317 wilderness review and remains opposed to any recommendations for additional wilderness designations in the Arctic Refuge. This wilderness review is not only in direct conflict with ANILCA Sections 1317 and 1326(b), and thus illegal, it ignores the 1987 Department of Interior Resource and Assessment 1002(h) Report’s recommendations for the 1002 Area, and publicly-vetted Service policy.

Comment 136805.002

**Sean Parnell, Governor
State of Alaska**

ANILCA’s .No More. Clause

The Plan refers to recent Service policy as justification for conducting this wilderness review, and states that the wilderness review does not violate ANILCA Section 1326(a) because .the reviews do not constitute a withdrawal. and do not violate ANILCA section 1326(b) because they are not .being conducted for the sole purpose of establishing a conservation system unit. (page 3-6 and D-3, last paragraph). Administrative policy does not trump Congressional direction. ANILCA Section 1317 required a one-time wilderness review for all lands not already designated as wilderness within conservation system units. As the Plan openly acknowledges, the Service conducted that review in conjunction with the 1988 CCP.

Wilderness reviews were a major component of the Refuge’s 1988 Plan. That process formally examined all non-wilderness portions of the Refuge except for the 1002 Area. (Page H-32) Service Policy (610 FW 5.17) also confirms these reviews are complete.

We have completed wilderness reviews for refuges in Alaska in accordance with section 1317 of ANILCA.

This subsequent wilderness review is therefore in direct conflict with both Section 1317 and Section 1326(b), which states:

No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit... or for similar or related purposes shall be conducted unless authorized by this Act or further Act of Congress. [Emphasis added]

The current draft Plan also states:

These reviews are administrative actions and a means by which the Refuge can assess the efficacy of its management in meeting Refuge purposes and other legal requirements, including ANILCA Section 1004, which requires the Refuge to maintain the wilderness character of the Coastal Plain and its suitability for inclusion in the National Wilderness Preservation System.. (Page D-3, 6th paragraph) [Emphasis added]

First, as explained in detail in the subsection below, none of the Refuge, including the 1002 Area, is

included in the wilderness study area mandated by Sections 1001 and 1004; therefore, Section 1004, including the interim management direction of 1004(c), does not apply.

It also appears from this statement that a management objective is being fabricated to support the claim that the wilderness review is .not being conducted for the sole purpose of establishing a conservation system unit. (Page D-3, last paragraph) and as such, is not in conflict with Section 1326(b). However, the purpose of the wilderness review is clearly stated in the April 7, 2011 Notice of Intent and the review itself.

The Revised CCP will... review Refuge lands for potential recommendation for Congress for inclusion within the National Wilderness Preservations System. (75 FR 17763)

The purpose of a wilderness review is to identify and recommend to Congress lands and waters... that merit inclusion as part of the National Wilderness Preservation System. (Wilderness Review, page H-2) [Emphasis added]

The Service has ample means to evaluate the effectiveness of refuge management without also violating this cornerstone provision of ANILCA. Furthermore, neither the Wilderness Act nor ANILCA authorizes the use of wilderness reviews for any purpose other than identifying land to Congress that is suitable for designation as Wilderness. Especially in the context of ANILCA, wilderness reviews have only one purpose: to identify land suitable for a Congressional wilderness designation. In ANILCA section 1326(b), Congress specifically reserved for itself the authority to direct further studies to support establishment of conservation system units in Alaska. The Service may not usurp this authority by invoking a collateral, administrative purpose for conducting a wilderness review. Finally, the draft CCP addresses only two major planning issues: whether additional areas of the Refuge should be recommended for wilderness designation, and whether additional rivers should be recommended for inclusion in the National Wild and Scenic River System. The fact that these are the only two major issues analyzed in the draft Plan indicates that the single purpose of the wilderness reviews and wild and scenic river reviews is to consider the establishment of a conservation system unit.

Comment 136805.003
Sean Parnell, Governor
State of Alaska

Contrary to information in the Plan (Page H-32), the wilderness study called for in Sections 1001 and 1004 did not include any of the Arctic Refuge, including the 1002 Area. Section 1004(a) specifically refers to the wilderness study area asFederal lands described in section 1001....

Section 1001(a) states:

The Secretary shall initiate and carry out a study of all Federal lands (other than submerged lands on the Outer Continental Shelf) in Alaska north of 68 degrees north latitude and east of the western boundary of the National Petroleum Reserve – Alaska, other than lands included in the National Petroleum Reserve – Alaska and in conservation system units established by this Act. [Emphasis added]

Prior to this planning process, the Service had properly acknowledged the scope of Section 1001 and application of Section 1004. The attached map of the Section 1001 Central Arctic Management Area wilderness study boundary confirms that Sections 1001 and 1004 do not apply to the Refuge or the 1002 area.

Comment 136805.004
Sean Parnell, Governor
State of Alaska

Furthermore, the Department of Interior's Arctic National Wildlife Refuge, Alaska, Coastal Plain Resource Assessment Report and Recommendation to the Congress of the United States and Final Legislative EIS (1002(h) Report) stated that .No further study or public review is necessary for the Congress to designate the 1002 area as wilderness. (Page 103, Alternative E – Wilderness Designation) and included an alternative that would allow Congress to designate the 1002 area as wilderness. This remains an option for Congress' consideration to this day, along with the Secretary of Interior's recommendation to Congress (April 1987) to authorize development of the refuge's oil and gas resources. In fact, the general comment below regarding the need to include an oil and gas alternative identifies two Senate bills and one House bill, which are pending that would open the coastal plain, to oil and gas leasing and development. Thus, the 1988 wilderness review conducted by the Service in conjunction with the original CCP appropriately excluded the 1002 Area. Service Director John Turner acknowledged as much in revising the original 1988 wilderness

recommendations for seven Alaskan Refuges in January 1991, including the Arctic Refuge, and only recommended adding the Brooks Range review unit, thus again appropriately excluding 1002 Area (Page H-33, H.5 Appendix: Previous Wilderness Reviews).

Comment 136805.005
Sean Parnell, Governor
State of Alaska

Director's Memorandum

The Service states on page D-3 that .Service policy (601 FW 3 and 610 FW 4), and a recent director's memorandum (Hamilton 2010), directs refuges to conduct wilderness reviews during comprehensive conservation planning, including for Alaska.. While we recognize that policy sets Service direction and the National Director sets that policy, it must be consistent with federal law. If there is a conflict, statute prevails.

The Wilderness Stewardship Policy was completed through an extensive public process, with participation from the State of Alaska through the Department of Fish and Game and the Association of Fish and Wildlife Agencies. However, based on a Director's Memorandum, the Service not only violates ANILCA Sections 1317 and 1326(b), it also dismisses a legitimate public process.

Former Director Williams issued a memorandum of Planning Requirements Regarding Alaska Refuges in 2004. The memorandum suspended wilderness reviews for Alaska refuges until the Wilderness Stewardship policy was finalized. The final policy was published in the Federal Register on November 7, 2008. Section 601 FW 5.17 of the policy states:

We have completed wilderness reviews for refuges in Alaska in accordance with section 1317 of ANILCA. Additional wilderness reviews as described in the refuge planning policy (602 FW 1 and 3) are not required for refuges in Alaska. During preparation of CCPs for refuges in Alaska, we follow the provisions of section 304(g) of ANILCA, which requires us to identify and describe the special values of the refuge, including wilderness values. Subsequently, the CCP must designate areas within the refuge according to their respective resources and values and specify the programs for maintaining those values. However, ANILCA does not require that we incorporate formal recommendations for wilderness designation in CCPs and CCP revisions. (Emphasis added.)

The 2010 Hamilton memorandum disregards the policy, however:

Although the Wilderness Stewardship policy does not require that Alaska Refuges conduct wilderness reviews, conducting such reviews will ensure that we fully evaluate lands and waters that may merit inclusion in the National Wilderness Preservation System and will comply with the

Wilderness Act, the Alaska National Interests Lands Conservation Act, the National Wildlife Refuge System Administration Act, as amended, and the Fish and Wildlife Service Refuge Planning and Wilderness Stewardship policies. (Emphasis added.)

We question this reasoning. First and foremost, policy cannot preempt statute. As stated above, ANILCA Section 1317 required a one-time wilderness review for all lands not already designated as wilderness within conservation system units. This has been accomplished, and the Wilderness Stewardship Policy reflects this. Moreover, as the later enacted and specifically applicable statute, ANILCA supersedes the Wilderness Act in Alaska. There is no direction in the National Wildlife Refuge System Administration Act, as amended, that requires wilderness reviews. In fact, the Act states that .if any conflict arises between any provision of this Act and any provision of the Alaska National Interest Lands Conservation Act, then the provision in the Alaska National Interest Lands Conservation Act shall prevail.. The Hamilton memorandum does not justify conducting new wilderness reviews in Alaska, over explicit direction in ANILCA and publicly-vetted Service policy.

Comment 136805.006
Sean Parnell, Governor
State of Alaska

The State objects to the use of the term .wilderness study areas. in the draft Plan for any part of the Refuge. As noted above, Section 1317 of ANILCA provided a one-time wilderness review authority for wildlife refuges in Alaska. The Service completed the wilderness review for all parts of the Refuge (except the coastal plain) in the 1988 CCP. The 1002 area was reviewed as part of the Department of Interior Resource and Assessment 1002(h) Report, which stated that .No further study or public review is necessary for the Congress to designate the 1002 area as wilderness. (Page 103, Alternative E – Wilderness Designation) and included an alternative that would allow Congress to designate the 1002 area as wilderness. The term .wilderness study area. is specific to the wilderness review process set forth in the Wilderness Act, the applicability of which to Alaska is expressly and specifically limited by ANILCA. The Service does not have the authority to create wilderness study areas administratively. Thus, the use of the term .wilderness study area. is inappropriate, confusing to the public, and unnecessarily inflames all sides of the public debate over management of the Refuge and especially the 1002 area.

Comment 136805.159
Sean Parnell, Governor
State of Alaska

Through ANILCA, Congress established the Refuge, and designated eight million acres as wilderness. Congress also set aside the Refuge 1002 Area to study the potential for responsible oil and gas development, and authorized exploration activities to facilitate that effort. The resulting 1987 Coastal Plain Resource Assessment 1002(h) Report, which included an alternative to designate the area as wilderness, concluded that Congress should authorize oil and gas development. Nowhere in Section 1002 of ANILCA did Congress provide direction to, yet again, study the 1002 Area's potential for wilderness designation. By glaring omission, this Plan not only disregards this earlier recommendation, it ignores the fact that the 1002 Area was purposely nOt included in the 1988 Arctic Refuge wilderness review because it was already covered in the 1987 Section 1002(h) Report, and the decision was solely in the hands of Congress, where it remains today. I am therefore appalled by this current and blatant attempt to use this planning process to circumvent both the intent of ANILCA and Congress' authority in this matter.

Comment 00084.001
Keith Silver, Owner
The Silver Agency

Alternative C and E of the draft CCP
8 recommend the additional inclusion of the 1002 area
9 coastal plain for wilderness status. This
10 recommendation conflicts with the no more clause of
11 ANILCA, ANWR's creation bill, which specifically
12 prohibits the study and designation of new land in
13 Alaska as wilderness without express permission from
14 Congress.

15
16 The draft defends itself from conflict
17 with the no more clause by stating the U.S. Fish and
18 Wildlife Service does not view the CCP as a study for
19 inclusion of new land because it claims the land within
20 ANWR borders are already protected by the Refuge
21 system, thus it is not new.

22
23 The intention of the debate when the no
24 more clause was adopted was to prevent the study of
25 declaration of wilderness of additional Federal land
26 within the state by any other government entity besides
27 Congress. By claiming that the 1002 coastal plain is
28 not new land, the U.S. Fish and Wildlife Service is
29 ignoring the intent of Congress when ANILCA was put
30 forward. The 1002 area was set aside with the intent
31 to study potential development for oil and gas.

Comment 00084.003
Keith Silver, Owner
The Silver Agency

The purpose of the ANILCA clause was to
2 allow the U.S. Fish and Wildlife Service to mitigate
3 impact of land use and not lock up new land.
4 Recommending the designation of wilderness violates the
5 precedent set by ANILCA and goes against the intended
6 purpose of the 1002 coastal plain.

Comment 136803.003
Lisa Murkowski, Senator, Alaska
US Senate

Recommending additional Wilderness or WSRs within ANWR is inconsistent with both the
authorities granted in law and clear Congressional intent. A common misperception is that the
federal government owns ANWR and its resources. In law and reality, the federal government only
holds those resources in trust, as a manager, for the US taxpayers. The US taxpayers have granted
this management authority through Congress, and Article 4, Section 3 of the U.S. Constitution holds
that it is solely and finally through Congress that the disposition of these commonly-held lands may

occur. Rather than ignore the basic division of power between Congress and the Executive Branch, FWS should recognize the standing law and clear Congressional intent with an understanding that, unless repealed, statute presumes against future designations of conservation units in Alaska generally.

The “no-more” clause of the Alaska National Interest Lands Conservation Act (ANILCA) expressly states, “This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.”

Should FWS take steps to encroach upon or compromise Congressional authority over any federally-held lands, or should any federal agency take unilateral steps to sterilize a commonly-owned and valuable resource, this fundamental principle of public land management would be corrupted, and public reaction, likely manifested in Congress, may be both swift and far reaching.

Comment 032627.001

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

While the Service completed a process to determine wilderness recommendations in the 1980’s, for all Alaska refuges including the Arctic, the Secretary of the Interior never forwarded the recommendations to the President. Thus we believe the Service still has not met the requirements of Section 1317 of ANILCA overall for Alaska’s refuges. Regardless, the intent of ANILCA with respect to wilderness reviews in refuges is clear that all Alaska refuges are deserving of wilderness reviews and recommendations. And while the Arctic Refuge was dealt with differently than other refuges in ANILCA in Section 1002 of the Act, we believe that at this time, the purposes of section 1002 have been fulfilled, and that it is the legal duty of the Service to complete a wilderness review and recommendation for the Arctic Refuge, like all other refuges in Alaska or elsewhere in the nation.

Comment 032627.047

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

-----Preamble/Intro-----

The original Arctic Range was established in 1960 “to preserve unique wildlife, wilderness, and recreational values.”⁷ ANILCA expanded the original Arctic Range by adding 9.2 million acres, included additional refuge purposes and re-designated the unit as the Arctic National Wildlife Refuge. These new, additional purposes include: (v) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and graying; (vi) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (vii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and (viii) to ensure, to the

maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and quantity within the refuge.[8]

ANILCA Section 305 states that:

All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.[9]

This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: “Sections 301, 302 and 303 set forth the purposes for each designated or re-designated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management.”¹⁰ The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.¹¹ All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wilderness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and re-designated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes.

As the USFWS’s longstanding policy and guidance regarding determining expanded refuge purposes clearly states: When we acquire an addition to a refuge under an authority different from the authority used to establish the original refuge, the addition also takes on the purpose(s) of the original refuge unless Congress determines otherwise, but the original refuge does not take on the purpose(s) of the addition unless Congress determines otherwise.[12] In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214).

601 FW 1 at 1.16. In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214). Thus, applying FWS’s policy for determining the purposes of a refuge,¹³ for FWS’s current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congress that the original Arctic Range purposes should not apply to the entire Arctic Refuge.

Nothing in ANILCA indicates that Congress did not intend the original Arctic Range purposes to apply to the entire Arctic Refuge. To the contrary, ANILCA Section 305 states that: All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.

P.L. 96-487 (Dec. 2, 1980) (emphasis added). This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: “Sections 301, 302 and 303 set forth the purposes for each designated or redesignated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management.” House Report No. 96-97(I) at 174 (April 18, 1979) (emphasis added).

The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.¹⁴ All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wildness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and redesignated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes. Accordingly, because these purposes are complimentary and not inconsistent, under FWS's policy, the purposes of the original Arctic Range apply to the entire Arctic Refuge.

-----Comment-----

in applying USFWS's policy to determine the purposes of a refuge, for USFWS's current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congress that the original Arctic Range purposes should not apply to the entire Arctic Refuge. Without such an indication from Congress, the original Arctic Range purposes should apply to the entire Arctic Refuge. ¹⁵ Accordingly the purposes of the original Arctic Range apply to the entire Arctic Refuge. The FWS thus should correct this mistake in the CCP.

Comment 221143.001
Charles Becker

The option of future energy development in the 1002 area should remain on the table, precluding any new Wilderness designation over the Coastal Plain. Not only would new Wilderness and Wild and Scenic River designations violate the "no more" clauses of ANILCA, they would go against the original intent of Congress and the law.

Comment 000040.001
Jason Brune

4 There should be no new wilderness in
5 any of ANWR. That's illegal. It's illegal according
6 to ANILCA. The no more clause of ANILCA.

Comment 032638.001
John Craig

Alaska was promised that if we allowed the size of ANWR to be doubled, and 8 MILLION Acres designated as Wilderness - we would have the right to develop the small coastal plane in Area 10-02.

• Yet, nearly 25 years later - America's most promising remaining domestic oilfield has still not been opened for exploration or development - and AMAZINGLY that option is not even offered in this current CCP draft.

Comment 221127.001
Jason R. Custer

I wish to express my concern with the fact that Fish and Wildlife Services' efforts to designate new wilderness areas in Alaska is a violation of the Alaska National Interest Lands Conservation Act, which states in section 1326(b) that the agency may not even conduct wilderness reviews in Alaska without Congressional authorization. Congress has given no such approval. As purse strings tighten across the nation, and as we struggle with a burgeoning national debt crisis, we should remain diligent in avoiding and castigating unauthorized, wasteful action by federal agencies.

Comment 000046.001
Matthew Fagnani

Alternative C and E of the draft CCP
30 recommend the additional inclusion of the 1002 coastal
31 plain for wilderness status. This recommendation
32 conflicts with the no more clause of the Alaska
33 National Interest Land Claims Conservation Act, ANILCA.
34
35 ANWR's creation bill, which
36 specifically prohibits the study and designation of new
37 lands in Alaska's wilderness without express permission
38 from Congress. The draft defends itself from conflict
39 with the no more clause by stating that the U.S. Fish
40 and Wildlife Service does not view the CCP as a study
41 for inclusion of new land because it's claimed within
42 the ANWR border is already protected by the refuge
43 system rules, thus it's not new.
44
45 The intention of the debate when the no
46 more clause was adapted was to prevent the study or
47 declaration of wilderness of additional Federal lands
48 within the state by any other government entity besides
49 Congress. By claiming the 1002 area is not new land,
50 the U.S. Fish and Wildlife is ignoring the attempt of

1 Congress when ANILCA was put forward. The 1002 area
2 was set aside for the intent to study the potential
3 development of oil and gas.

4
5 In the past 30 years of oil production
6 that Prudhoe Bay produces have significantly and safely
7 advanced technologies in oil and gas drilling, arctic
8 engineering waste disposal and environmental
9 management. With these advancements, the Fish and
10 Wildlife Service and State should be able to pursue a
11 1002 area comprehensive management plan that does not
12 designate the ANWR coastal plain as wilderness.

Comment 000047.001
Theresa Fiornio

39 The refuge planning process also
40 provides a service with the opportunity to conduct
41 critically important wilderness reviews. In fact, the
42 law articulated a wilderness review for the Arctic
43 Refuge. Section 304 of ANILCA requires wilderness and
44 other special values to be identified in the planning
45 process. Section 1004 requires wilderness review for
46 existing Federal lands located north of 68 degrees
47 north latitude and east of the west boundary of the
48 NPR-A. Section 1317 requires wilderness review for all
49 refuge system lands that were already not designated as
50 wilderness as well as a recommendation based on

1 findings from those reviews, requirements that have
2 never been completed.

Comment 136975.001
Mary Klebs

Not only would new Wilderness and Wild and Scenic River designations violate the “no more” clauses of ANILCA, they would go against the original intent of Congress and the law.

Comment 136932.001
Robert Laule

-----Preamble/Intro-----

The U.S. Fish and Wildlife Service (FWS) included a Wilderness component in their revision of the Comprehensive Conservation Plan (CPP) for the Arctic National Wildlife Refuge (ANWR).

-----Comment-----

However, the FWS does not have the authority to declare new Wilderness designations in ANWR, only Congress can. In addition, Section 1326(b) of ANILCA states that federal agencies are not allowed to study lands to be considered for set-asides unless Congress specifically authorizes it. Including a Wilderness study in the CCP revision is clearly a violation of Alaska National Interest Lands Conservation Act (ANILCA).

Comment 032651.001
Mark Lindsey

Issue: In preparing the draft CCP for the Arctic National Wildlife Refuge (“ANWR”), is the USFW Service (the “Service”) correct in deciding to exclude meaningful consideration of the oil and gas development potential of the 1002 Area?

Discussion: The 1002 Area was created by the enactment of ANILCA in 1980. That legislation remains the most definitive record of what Congress intended for the 1002 Area. In ANILCA, Congress required the Secretary of the Interior to evaluate the 1002 Area for its potential as an oil and gas province. The result of this Congressional mandate was the April, 1987 issuance of the Arctic National Wildlife Refuge, Alaska Coastal Plain Resource Assessment, Report and Recommendation to Congress and Final Environmental Impact Statement. In that report, the Secretary of the Interior recommended opening the 1002 Area to oil and gas development, subject to certain stipulations. However, as we all know, to date no such legislation has been enacted.

These facts indicate that Congress and the Department of the Interior believe that the consideration of the oil and gas potential of the 1002 Area is central to any planning process for that section of ANWR. Of course, there is an abundance of other information indicating that the public feels the same way: that is, that regardless of whether one is for or against it, the issue of opening the 1002 Area is an issue of significance.

In the draft CCP, the Service justifies its decision to exclude consideration of the oil and gas development potential of the 1002 Area as follows (from the CCP draft summary updated August, 2011)[1]:

“However, according to the National Environmental Policy Act (NEPA), the alternatives considered in an Environmental Impact Statement (EIS) must meet the purpose and need for the proposed action. The purpose and need for the CCP is to ensure that activities, actions and alternatives fulfill the legal purposes for which the Refuge was established.

The CCP also must fulfill the mission of the National Wildlife Refuge System and provide direction on how the U.S. Fish and Wildlife Service will meet these purposes. It is outside the Refuge’s and Service’s administrative authority to consider or propose oil and gas development alternatives. Congress has reserved the authority to make final decisions on oil and gas development in Arctic Refuge.”

There are a number of problems with this explanation. The first is the opening statement that the alternatives considered in an EIS must meet the purpose and need for the proposed action. NEPA says no such thing, nor is such a requirement included in the CEQ regulations at 40 CFR 1502. On the contrary, NEPA provides that an agency must[2]:

“(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on

- (i) the environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented. “

And 40 CFR 1502.14 reads as follows:

“Sec. 1502.14 Alternatives including the proposed action.

This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (Sec. 1502.15) and the Environmental Consequences (Sec. 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a

clear basis for choice among options by the decisionmaker and the public. In this section agencies shall:

(a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.

(b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.

(c) Include reasonable alternatives not within the jurisdiction of the lead agency.

(d) Include the alternative of no action.

(e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.

(f) Include appropriate mitigation measures not already included in the proposed action or alternatives.”

Nowhere in NEPA or in the enabling regulations is there any support for the Service’s explanation that an alternative must meet the Service’s purpose and need.

The notion that an alternative may be eliminated if it fails to meet the purpose and need of the action being proposed makes some sense in some cases. For example, when an EIS is required due to, say, a proposal to construct an ice road over tundra to reach a drilling location, it makes sense to limit alternatives to those which could achieve the same purpose – e.g. consider air transport to the site as an alternative, or consider other access to the site by means other than ice road, and to eliminate from consideration any alternative that has nothing to do with reaching the drill site. However, in the present case, the entire concept of eliminating an alternative if it does not meet the purpose and need as defined by the Service essentially results in a situation where the Service doesn’t have to consider any alternative use of the land that is not consistent with the mission of the Service. In other words, under the Service’s construction of this issue, it need not consider any views other than those that conform to its own policy objectives. This is clearly nonsense and is not what is intended in NEPA.

The narrow and very limiting definition used by the Service of the “purpose and need” notably excludes the primary reason that a CCP is needed in the first place: The need for a CCP is imposed by Section 304 of ANILCA, the same legislation that created the 1002 Area and set it aside for special studies of oil and gas potential. A more accurate definition of the need for the CCP would directly reference this ANILCA requirement. By setting it aside for oil and gas development study, ANILCA treats the 1002 Area differently from any other part of the National Refuge system and makes it very clear that there is a significant unresolved issue relating to land use there. Given this broader context of why a CCP is required, it is difficult to credit the Service’s decision to exclude full consideration of oil and gas development alternatives.

Comment 032651.004

Mark Lindsey

Issue: Has the Service complied with all applicable laws and regulations and with USFW policy in its wilderness review of the 1002 Area?

Discussion: Per the draft CCP:

“The current review was initiated in compliance with the refuge planning process outlined in U.S. Fish and Wildlife Service (Service) Manual (602 FW 3 and 4) and is conducted in accordance with Service Manual (610 FW 3, 4, and 5).”

However, 610 FW (cited by the Service in the preceding paragraph) reads:

“4.12 What factors does the Service consider when conducting a wilderness study? We study each WSA identified in the inventory to analyze all values (e.g., ecological, recreational, cultural, economic, symbolic), resources (e.g., wildlife, water, vegetation, minerals, soils), public uses, and refuge management activities within the area. The analysis includes an evaluation of whether we can effectively manage the WSA to preserve its wilderness character. We analyze these elements through the refuge planning process to determine the most appropriate management direction for each WSA. “

The draft CCP does not comply with this provision in that it includes no meaningful analysis of the economic or mineral resources of the 1002 Area[4].

This point also ties into the point made above – that NEPA similarly requires a close look at alternatives to the action being proposed (in this case, alternatives to the wilderness designation)[5].

After studying this legislative, regulatory and policy guidance, it is clear that any consideration of the 1002 Area for wilderness designation must include a far more complete analysis of the oil and gas development potential of the region.

Comment 032651.006

Mark Lindsey

-----Preamble/Intro-----

If ever there was a proposal “which involves unresolved conflicts concerning alternative uses of available resources”, a proposal to designate the 1002 Area as wilderness fits the bill. The Service’s position appears to be that opening the 1002 Area to oil and gas activities is not an “appropriate alternative” since any “appropriate alternative” has to satisfy the “need and purpose” of the CCP. Whether this position is viable is probably a matter for the courts, but it is clear that it is a position that the Service does not need to take. There is a simple and logical solution that better serves the public interest (discussed below in General Comment #1).

-----Comment-----

As steward of the Coastal Plain, you have an obligation to manage it as best you can, and of course this includes an obligation to assess and protect the wildlife resources and other aspects of this wild and complex place. However, you also have a responsibility to the American people to evaluate alternative uses of the land that may make sense, even if those uses are not consistent with what you as individuals or as an agency would like. While the objectives of the Wilderness Act are admirable, and setting aside lands as wilderness is an important part of preserving outstanding values for all Americans, the highest and best use of portions of the Coastal Plain may well be to develop the underlying oil and gas reserves. Clearly, man needs to exploit resources to live. By choosing to disregard this alternative land use, one that Congress and the nation as a whole are vitally interested in, the Service is failing to provide any decision maker – in this case, Congress, but also the American people – with a balanced and fair look at the possibilities that exist on the Coastal Plain. Instead, a one-sided CCP that results in a recommendation for wilderness designation for the Coastal Plain will make it even

more difficult to ever conduct a balanced and fair dialog about this issue, an outcome that is a disservice to us all.

Please consider the future of our children and grandchildren. After all, aren't all these laws, regulations and policies ultimately supposed to see to their needs? Will there be opportunities for them if we don't create some? What public and private sector prospects will await them if we fail to adequately consider all our productive land use alternatives? Where will the funding come from to provide essential government services?

You are in a position of great power and responsibility as steward of ANWR. There are presently two pages[6] that discuss oil and gas potential of the Coastal Plain: two pages out of 1,200. You cite 21 reference studies of whitefish, 22 dealing with climate change, 30 about subsistence issues/data and hundreds of other references on a wide variety of subjects – about 600 references in all -but just one that addresses oil and gas development. This is hardly an evenhanded analysis of one of the most important issues in America today. Please put some balance back in the CCP by either (a) providing a full evaluation of an oil and gas development alternative for the Coastal Plain or (b) taking the approach taken in the 1988 CCP: Leave the 1002 Area as it is and continue to wait and see if Congress takes action.

The existing CCP published in 1988 deals with this issue much more reasonably and transparently. As stated in that CCP:

“The Fish and Wildlife Service (the Service) is presently managing the "1002" area as it has done in the past, essentially as a minimal management area. Until the Congress takes action on the future of the "1002" area the Service will continue this practice. In all alternatives included in this comprehensive conservation plan for the Arctic Refuge, the "1002" area is treated as a minimal management area. Actions that the Congress may take in the "1002" area--including making it available for oil and gas exploration and development or designating it as wilderness--will not be addressed in this plan. Any decision made by the Congress regarding the future management of the "1002" area will be incorporated into this plan and implemented. Should any additional studies or a wilderness review of the "1002" area be required, they will be undertaken and completed at that time (see also the "Wilderness Review of the 1002 Area" in the Introduction).”

This approach is entirely consistent with ANILCA. It also simplifies the CCP by obviating the need for either a wilderness study or an updated study of the oil and gas potential of Area 1002. It does not change the present management practices in Area 1002, which, in the absence of Congressional action, are expected to continue in any event. I have read the January 28, 2010 directive from the Director of the Service mandating wilderness reviews for Alaska Refuges. It would be a simple matter for the Director to amend this directive to exclude the 1002 Area based on ANILCA (which makes it clear that the 1002 Area is a special case within the Refuge system) and based on our national interest. Absent this action, if the wilderness review of the 1002 Area stays in, a comprehensive analysis of the oil and gas possibilities should also be included.

Comment 000064.001
Charisse Millett

I would also
3 like to remind you that under ANILCA 1002 was taken out
4 of any wilderness designation. It was a promise made
5 to the state of Alaska and to the residents of the
6 state of Alaska that 1002 would be open for exploration
7 and development of its oil and gas resources.

8

9 I'd like you to please consider closely
10 the issue that you are taking up here. It's the wrong
11 path to follow. It's not legal, it's not right.

Comment 136938.001
Brian Newton

Generally, I question the legality of the CCP draft, particularly in the context of the Alaska National Interest Lands Conservation Act or ANILCA.

Alternatives “C” and “E” of the Draft CCP recommend the additional inclusion of the 10-02 Coastal Plain for Wilderness status. This recommendation conflicts with the “No More Clause” of ANILCA, ANWR’s creation bill, which specifically prohibits the study and designation of new land in Alaska as wilderness without express permission from congress. The CCP draft defends itself from conflict with the “No More Clause” by stating the USFWS does not view the CCP as a study for inclusion of “new” land, because it claims the land within the ANWR border is already protected by refuge system rules thus it is not “new”. The intention of the debate when the “no more clause” was adopted was to prevent the study or declaration of wilderness of additional federal land within the state by any other government entity besides Congress. By claiming that the 10-02 Coastal Plain is not new land, the USFWS is ignoring the intent of congress when ANILCA was put forward. The 10-02 Area was set aside with the intent to study potential development for oil and gas.

Comment 221126.001
Lance Stevens

the FWS lacks the authority to designate more wilderness or wild scenic byways under the Alaska National Interest Lands Conservation Act. The law is clear: under ANILCA, section 1326(b). It seems that the government agencies continue to challenge the laws set forth by congress and hope the extremist groups and sympathetic courts will allow their internal wishes to rule the land. Quit over reaching your authority and begin to utilize our hard earned tax dollars to manage the resources for all uses including resource extraction.

Comment 221124.001
Doug Ward

I wish to express my concern with the fact that Fish and Wildlife Services’ efforts to designate new wilderness areas in Alaska is a violation of the Alaska National Interest Lands Conservation Act, which states in section 1326(b) that the agency may not even conduct wilderness reviews in Alaska without Congressional authorization. Congress has given no such approval. As purse strings tighten across the nation, and as we struggle with a burgeoning national debt crisis, we should remain diligent in avoiding and castigating unauthorized action by federal agencies.

Comment 222160.001
Cara Wright

The option of future energy development in the 1002 area should remain on the table, precluding any new Wilderness designation over the Coastal Plain.

Not only would new Wilderness and Wild and Scenic River designations violate the “no more” clauses of ANILCA, they would go against the original intent of Congress and the law.

3.4.3 General

Comment 032620.003
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

ANILCA is the controlling statute which established more than 100 million acres of federal conservation system units in Alaska, including parks, wildlife refuges, wild and scenic rivers, and wilderness. Following years of Congressional and national debate, ANILCA was enacted in December 1980 in the final days of the Carter Administration as a sweeping bipartisan compromise intended to resolve the scope and nature of the federal land conservation system in Alaska. As part of the compromise, and as a Congressional reaction to years of executive branch land “freezes” and withdrawals in Alaska, ANILCA contained well known “no more” clauses disclaiming any need for future establishment of additional conservation system units, and restricting executive authority to consider these except as authorized by ANILCA itself or further acts of Congress. See, e.g., Sections 101(d) and 1326. Moreover, as detailed below, ANILCA specifically controls over any conflicting general provision of the National Wildlife Refuge Administration Act,³ and specifically governs the CCP process here.⁴

Section 1326(b) of ANILCA expressly prohibits exactly the actions which the CCP is purporting to undertake: new studies considering the establishment of new conservation system units in Alaska. In addition, the time for any proposal for more wilderness in national parks or wildlife refuges under ANILCA was specifically limited under Section 1317 to five years after its enactment. That time has long since run. No provision of ANILCA, or any other controlling law, authorizes such an agency proposal decades later. Instead, Sections 101(d), 1317 and 1326(b) each prohibit it.

ANILCA established the Arctic National Wildlife Refuge in its present form and with its present purposes. The original 9 million acre Arctic National Wildlife Range, created by a public land order in 1960, did not establish any wilderness and did not prohibit mineral leasing. ANILCA doubled its size and designated all of the original Range, except the 1002 coastal plain area, as wilderness under the Wilderness Act of 1964 – a designation that could only be made by Congress. Congress deliberately chose not to make the 1002 area wilderness, and instead in Section 1002 imposed specific “resource assessment” requirements on the U.S. Department of Interior (“DOI”).

Section 1002(d) in mandatory terms required USFWS to promulgate regulations to open the coastal plain for oil and gas exploration. Section 1002(c) required baseline studies of fish and wild resources. Most importantly, Section 1002(h) required DOI to prepare a report directly to Congress containing “the recommendations of the Secretary with respect to whether further exploration for, and the development and production of, oil and gas within the coastal plain should be permitted.” The 1987 1002(h) Report and Legislative EIS submitted by DOI to Congress⁵ recommended exactly that, specifically “making available... the entire Arctic Refuge coastal plain for oil and gas leasing.”⁶ Section 1002 not only imposed mandatory duties on USFWS, its provisions also reflect both the

Congressional intent and the statutory purposes for establishment of the 1002 area of the Refuge. These necessarily include the possibility of both exploration and opening the 1002 coastal plain for oil and gas development. These requirements of Section 1002 cannot be ignored. Yet that is precisely what USFWS proposes.

Any action USFWS now proposes to undertake with respect to the coastal plain must first give effect to the DOI duties, Congressional intent and statutory purposes of Section 1002. The CCP fails to do so. The CCP thereby independently violates the requirements of Section 1002. Instead, the CCP undertakes an untimely study of new wilderness not required by Section 1002, which never mentions wilderness, and prohibited by ANILCA.

For many years USFWS maintained the position both to Congress and the public that any further action on the 1002 coastal plain is solely up to Congress. The 1987 1002(h) Report and Legislative EIS and the current CCP restate this many times. Congress did not authorize, and in ANILCA prohibits, further untimely agency consideration of new wilderness and wild and scenic rivers in ANWR. If any further review or new recommendation with respect to the 1002 coastal plain is now permissible, it must include the one Congress actually required: a direct report to Congress pursuant to Section 1002(h) addressing whether to open the coastal plain for oil and gas development.

Comment 032620.004
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

The “no more” clauses of ANILCA expressly prohibit studies to create new units of wilderness and wild and scenic rivers. The draft CCP/EIS briefly acknowledges this issue, but fails to address the plain language and controlling requirements of ANILCA.

The first of the “no more” clauses is Section 101(d), one of “Purposes” of ANILCA as a whole. This expresses the key principle that the more than 100 million acres of new conservation system units established in Alaska were “a proper balance” which “obviated” the need for new legislation to establish more: (d) This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby.

(emphasis added). This plain statement of Congressional intent is then given specific effect in numerous directives and time limits throughout ANILCA.

The most relevant of these here is Section 1326(b), a section addressing “Future Executive Actions.” This provides:

§1326. (b) No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation areas or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.

(emphasis added.)⁷ In order to understand the full scope of both sections 102(d) and 1326(b), it is essential to consider the definition of “conservation system units” in ANILCA Section 103(4): (4) The term "conservation system unit" means any unit in Alaska of the National Park System, National

Wildlife Refuge System, National Wild and Scenic Rivers Systems, National Trails System, National Wilderness Preservation System, or a National Forest Monument including existing units, units established, designated, or expanded by or under the provisions of this Act, additions to such units, and any such unit established, designated, or expanded hereafter.

(emphasis added). The plain meaning of this language is unavoidable. “Any unit” means just that: any unit of any of the listed federal systems, including future expansions. The conservation systems are listed disjunctively (“or”). The necessary effect is that any expansion of any of the systems by definition is itself a “conservation system unit.”

Here, under this definition, Section 1326(b) therefore directly prohibits the CCP proposals “considering the establishment” of new additions to both the National Wilderness Preservation System and the National Wild and Scenic Rivers System. It would be nonsense in any event to contend that the implementation of either of these systems does not establish any new conservation system unit. Their very purpose is to impose extraordinary new preservationist regimes which permanently preclude development.

It is equally clear, despite USFWS’ denial,⁸ that the wilderness and scenic river “studies” undertaken in the CCP are precisely the kind of “further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit... or for related or similar purposes...” which are prohibited by Section 1326(b). The studies have no other purpose. The wilderness areas are labeled “wilderness study areas.” Both the wilderness and scenic rivers review expressly include “study” stages.⁹ If these are not “studies” within the meaning of 1326(b), what possibly could be?

And, contrary to USFWS’ contention, although both studies are for the singular purpose of considering the establishment of new conservation system units, it would not matter in any event if they had other purposes. Section 1326(b) also includes the broad language “or for related or similar purposes.” These words must also be given effect,¹⁰ and there can be no serious contention that the studies of new wilderness and new scenic rivers in ANWR completed as part of the CCP/EIS process do not at least comprise “related” or “similar” purposes.

Finally, it makes no difference that ultimately Congress must approve a recommendation for new wilderness or wild rivers. These are still further studies “considering the establishment” of conservation system units. All the words must be given effect. No completed action is required.^{11A} A contrary reading would in any event negate Section 1326(b) altogether, since Congress must act to establish any of the conservation units as defined in Section 103(4).

In consequence, Section 1326(b) applies here and expressly prohibits the study of new wilderness and wild rivers in the CCP “unless authorized by this Act or further Act of Congress.” No such authorization exists.

Comment 032675.006
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The Commission is not persuaded by the flawed explanation in Appendix D of the DCCP (Alaska National Interest Lands Conservation Act "No More" Clauses, pg. D-3) given in an attempt to support the claim that the wilderness and wild and scenic river reviews in this planning effort do not violate the provisions in sections 101(d), 1326(a) and 1326(b) of ANILCA. The Commission does not accept the claim that these reviews do not violate the "no more" clauses in ANILCA simply because

they are bundled into a bigger planning package and are required by questionable Service policy with no statutory foundation.

We are also seriously offended by the careless dismissal of one of the fundamental compromises found in ANILCA. The "no more clause" was a key piece in the final substitute bill and critical to its passage. Had this and other compromise provisions not been included, it is quite possible passage of an Alaska lands bill would have been delayed well into the next Congress and new administration.

ANILCA Section 101 (d) provides the general statement that Congress believed no further legislation designating new conservation system units, national recreation areas or conservation areas was necessary because ANILCA struck a proper balance between protection of the national interest in the public lands in Alaska and the future economic and social needs of the State of Alaska and its citizens.

Congress provides confirmation of this by taking additional steps in Section 1326 to limit the power of the Executive Branch to use its authority to upset that balance. Section 1326 provides clear and unambiguous restrictions on federal land management agencies with respect to future withdrawals and further studies or reviews. We quote this section here in its entirety:

Sec. 1326 (a) No further executive branch action which withdraws more than five thousand acres, in the aggregate, of public lands within the State of Alaska shall be effective except by compliance with this subsection. To the extent authorized by existing law, the President or the Secretary may withdraw public lands in the State of Alaska exceeding five thousand acres in the aggregate, which withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress. Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after notice of such withdrawal has been submitted to Congress.

(b) No further studies of the Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress" (emphasis added)

Inclusion of this section was not unintentional, nor was it done without considerable effort. At least one early versions of the "D-2" legislation contained language curbing the authority of the executive branch. However, most of the bills introduced during the time of the "D-2" deliberations did not address this issue. Following the December 1978 Presidential Proclamations designating 17 national monuments under the Antiquities Act of 1906, the Alaska delegation and other members of Congress noted this deficiency and moved to correct it. At the invitation of Senator Jackson, chairman of the Senate Committee on Energy and Natural Resources, Senator Gravel submitted a letter to the committee expressing his views on H.R. 39, the bill which is the foundation for the final ANILCA. One section of Senator Gravel's letter addressed the "no more" issue directly:

Title XII - Administrative Provisions

"No More"

The Committee bill contains two provisions which I think are absolutely necessary to reassert Congress' authorities in the matter of land designations: (1) the revocation of the monuments and the other FLPMA withdrawals which were made last year by the Administration to put pressure on the legislative process, and (2) the exemption of Alaska from the wilderness study provisions of FLPMA in the just belief that with passage of this bill "enough is enough".

However, one further critical provision is lacking. With the designation of over 1 00 million acres by this bill, coupled with the 50 million acres of units already existing in Alaska, nearly 40 percent of the land mass of the State would be within conservation systems. Surely that sufficiently meets even the most generous allocation of land for this specific purpose to the exclusion of most other land uses.

Should this bill become law, we in Alaska must have some assurance that this represents a final settlement of the nation's conservation interests. We cannot continue to be exposed to the threats and intimidation of a zealous Executive which may feel in the future that the Congress did not meet the Administrations desires for land designations in Alaska.

Thus, absent from this bill is a provision barring further conservation system designations through administration action such as the Antiquities Act. Obviously, the Congress could act again in the future if it were so inclined, but the arbitrary permanent removal offederallandsfrom the public domain can no longer be left to the Executive in Alaska. Deletion of such a provision in this bill is a serious deficiency which must be corrected prior to any final action. " (Senate Report No. 96-413, pg. 446)

A later version of the Alaska lands legislation, the so-called Tsongas Substitute for H.R. 39, was amended to include the language now found in ANILCA Section 1326. During the August 18, 1980 Senate floor debate on the Tsongas Substitute,

Senator Stevens explained that the Alaska State Legislature had asked the Alaska delegation to address seven consensus points that were not originally contained in the bill:

"I have uniformly responded to questions in those areas [Alaska communities J concerning the revised Tsongas substitute. This substitute now is a version of the Senate Energy Committee bill, but it does not satisfy the seven points that our State legislature asked us to address in connections with this legislation.

I have told Alaskans that while I cannot vote for the Tsongas substitute, I think it has to be judged as being a compromise that is better than the existing situation under the national monuments and certainly better than those the President has indicated he will impose if a bill does not pass.

Our State legislature asked us to address seven points. We call them the consensus points

The fifth injunction of the legislature was to be sure that there is what we call a no-more provision. This was a provision I insisted on in 1978. It was in the so-called Huckaby bill. It was in the bill that almost was approved in 1978. That clause is not in the committee bill. It is in the revised Tsongas substitute because the agreement we had in committee that when the bill had reached its final version on the floor of the Senate,

the committee would agree to the no more clause. Realizing that the Tsongas revised substitute may be final version, the Senator from Massachusetts, at my request, has included that. " (Congressional Record - Senate August 18, 1980, pg. S 11 047)

Senator Stevens later in the floor debate formally introduced Amendment No. 1967 to H.R. 39 for the following purpose:

"To provide congressional oversight for major modifications of areas established or expanded by this Act and to require congressional approval for future major executive withdrawals of certain public lands in Alaska. "

The amendment containing the essential wording of Section 1326 was adopted and became part of the Tsongas substitute [2]. That bill was approved by the Senate on August 19, 1980 and by the House on November 12, 1980.

We provide this rather lengthy, and what may be seen by some as unnecessary, look at the legislative history of this section to emphasize its importance in securing the final passage of the legislation. We also provide it to show that Congress clearly retained for itself the sole authority for future studies or reviews for the purpose of creating additional conservation system units in Alaska. And, more importantly, we provide it to remind the Service of its responsibility to comply with the provisions of ANILCA and not attempt to find ways to circumvent them and thwart the clear intent of Congress.

Comment 032627.046

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

The Original Arctic National Wildlife Range's Purposes Apply to the Entire Arctic Refuge: In the CCP, the FWS states that the purposes for which the original Arctic National Wildlife Range ("Arctic Range") was established only apply to those lands in the original Arctic Range: "Under Section 305 of the Alaska National Interest Lands Conservation Act ("ANILCA"), the Range's original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range."⁵ However, under FWS's own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System,⁶ the purposes of the original Arctic Range apply to all Arctic Refuge lands. The misinterpretation and misapplication of Refuge purposes pervades the CCP and the management decisions that FWS is considering and proposing. Thus, it is vital that FWS clearly state that the original Arctic Range purposes apply to the entire Arctic Refuge and that the CCP reflect this understanding.

Comment 221990.001

Tony Johansen

I do believe that the inclusion of new rivers in the Wild and Scenic River System and the inclusion of Wilderness Study areas in the National Wilderness Preservation System goes against the "No More" clause of ANILCA and, most certainly, against the intent of Congress. The "No More" clauses of ANILCA were purchased by those in support of developing

3.4.4 Planning Requirements

Comment 032620.007

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

4. ANILCA Controls Over Any Conflicting General Authority Over Refuges, And Specifically Controls the Conservation Planning Process Here

USFWS in the draft CCP prominently relies upon its authority under the National Wildlife Refuge System Improvement Act Of 1997,¹⁵ which "organically" amends the National Wildlife Administration Act of 1966. However, the USFWS' own enabling act expressly provides that ANILCA controls over any conflicting general Service authority over refuges, and specifically controls the ANWR CCP.

While ANILCA as the later and more specific act necessarily controls over the earlier 1966 Refuge Act, it is essential to note that clauses in the 1997 Improvement Act expressly and specifically require that, in the event of any conflict, ANILCA controls. Section 9 of the 1997 Act, "Statutory Construction With Respect To Alaska," subsection(b), "Conflicts of Laws," provides that "If any conflict arises between any provision of this Act and any provision of the Alaska National Interest Lands Conservation Act, then the provision in the Alaska National Interest Lands Conservation Act shall prevail."

More specifically, Section (e) of the National Wildlife Refuge Administration Act of 1966, as amended by the Section 7 of the 1997 Act, addresses requirements for conservation plans. This section is entitled "Refuge conservation planning program for non-Alaskan refuge lands." This section expressly provides that "refuge lands in Alaska...shall be governed by the refuge planning provisions of the Alaska National Interest Lands Conservation Act..."¹⁶ Thus, the current CCP is governed by ANILCA, not by the National Wildlife Administration Act of 1966 generally.

In addition, the amended Wildlife Refuge Administration Act provides that, “if a conflict exists between the purposes of a refuge and the mission of the System, the conflict shall be resolved in a manner that first protects the purposes of the refuge, and, to the extent practicable, that also achieves the mission of the System.”¹⁷ The purposes of a refuge, in turn, are defined by reference to the law which created it: “The terms “purposes of the refuge” and “purposes of each refuge” mean the purposes specified in or derived from the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorizing, or expanding a refuge, refuge unit, or refuge subunit.”¹⁸ For ANWR, the purposes of the Refuge must be “the purposes specified in or derived from” ANILCA.

Comment 032620.008
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

The USFWS’ Own Wilderness Stewardship Policy Provides That Wilderness Studies Under Section 1317 Have Been Completed and New Studies Are Not Required
While ANILCA is controlling here, it is nonetheless significant to note USFWS’ own formal position on wilderness reviews under Section 1317. This is set forth in the USFWS “Wilderness Stewardship Policy.”¹⁹ This Policy has a separate Section 5 applicable to Alaska refuges which the draft CCP fails to acknowledge. This in turn states:
5.17 Does the Service conduct wilderness reviews of refuge lands in Alaska?

We have completed wilderness reviews for refuges in Alaska in accordance with section 1317 of ANILCA. Additional wilderness reviews as described in the refuge planning policy (602 FW 1 and 3) are not required for refuges in Alaska. During preparation of CCPs for refuges in Alaska, we follow the provisions of section 304(g) of ANILCA, which requires us to identify and describe the special values of the refuge, including wilderness values. Subsequently, the CCP must designate areas within the refuge according to their respective resources and values and specify the programs for maintaining those values. However, ANILCA does not require that we incorporate formal recommendations for wilderness designation in CCPs and CCP revisions.²⁰ (emphasis added.) The Policy also acknowledges, as the CCP does not, that ANILCA controls over the Policy in the event of a conflict.²¹ The statements that “We have completed wilderness reviews for refuges in Alaska in accordance with Section 1317 of ANILCA” and that “additional reviews ... are not required” independently negate any reliance on Section 1317.²² Moreover, it demonstrates conclusively USFWS’ own position that its wilderness reviews are at best non-statutorily authorized political actions, not mandatory or even discretionally authorized actions.

Comment 032620.009
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

DOI and USFWS Must Comply With Section 1002 With Respect to the Coastal Plain
The CCP also fundamentally violates ANILCA by failing to give any effect to Section 1002. Section 1002 contains the controlling provisions of ANILCA with respect to the coastal plain. This is the elephant in the living room which the CCP ignores.

Sections 1002(d) and 1002(h) require promulgation of regulations to permit oil and gas exploration and a report to Congress on potential opening of the coastal plain for oil and gas development. These provisions also conclusively establish that these requirements are among the Congressional purposes

of the Refuge with respect to the coastal plain. These are mandatory statutory provisions directly binding upon USFWS.²³

If USFWS intends to propose altering the status quo of the 1002 area, or contends that ANILCA time limits do not apply, then it must first implement the requirements of Section 1002 with respect to the coastal plain. If ANILCA time limits do not apply and additional studies can be conducted, then the requirements of Sections 1002(d) and (h) must first be reopened. These are not mere discretionary, politically motivated administrative actions such as the present wilderness reviews at most comprise. Nor are they barred by Sections 101(d), 1326(b) and 1317.

Nevertheless, the longstanding position that DOI and USFWS have taken, both to Congress and to the public, has instead been that disposition of the 1002 lands is an issue solely for Congress. The 1988 ANWR CCP, which is still in effect, repeatedly recognized that the disposition of 1002 was an issue for Congress itself, not for USFWS to decide in a CCP: "The Congress will determine the future management of the "1002" area."²⁴ The 1987 legislative EIS which contained the 1002(h) report to Congress, while considering wilderness and other alternatives, recommended opening the 1002 lands for oil and gas development. The LEIS expressly concluded that "No further study or public review is necessary for Congress to designate the 1002 area as wilderness. Previous studies and public debate have sufficiently covered the issue."²⁵ All of this is still the case. Instead of undertaking new wilderness studies prohibited by ANILCA, USFWS in the alternative should adhere to its own longstanding position that only Congress can address the disposition of the 1002 coastal plain.

Comment 032620.011

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

-----Preamble/Intro-----

**THE DRAFT CCP/EIS FAILS TO INCLUDE ANY ANALYSIS OF ANWR'S RESOURCE
POTENTIAL OR RECOGNITION OF THE NEED FOR UPDATED ANALYSIS**

Despite the Congressional mandate in ANILCA to examine the 1002 coastal plain area for its oil and gas potential very little exploration has taken place. Only about 1500 miles of two-dimensional ("2D") seismic data have been recorded in the 1002 area. These data were recorded in two winter seasons in 1984 and 1985. The only well that has been drilled in 1002 is the Kaktovik Inupiat Corporation #1 well (i.e. "the KIC well") drilled over two seasons in 1985 – 1986. This well was drilled on private (Native Corporation-owned) land by BP and Chevron and the results of this well are highly confidential and have not been released.

The paucity of data in the 1002 area is in sharp contrast to the amount of exploration data that has been obtained on State land to the west of ANWR. Between the Canning and Colville rivers hundreds of exploration wells have been drilled resulting in oil discoveries in a number of different geologic formations. Most of this area has also seen the application of three-dimensional ("3D") seismic data. 3D seismic data provides a much more accurate picture of the subsurface of the earth than does 2D seismic. 2D data can be likened to an X-ray image of the body; it is constrained to one plane of information. 3D is more like a CAT Scan which provides a volume of data which can be manipulated (rotated, sliced) to give the doctor much more accurate and useful information. The same is true for 3D seismic with respect to geological analysis.

Many new discoveries in Alaska (and worldwide) are the direct result of the application of 3D seismic, which is now the standard exploration tool used by industry. Although more costly to obtain initially, it pays off in that the success rate for drilling can improve dramatically. A 10 or 20 percent success rate was fairly typical for exploration wells based on 2D technology. Using 3D data, success rates of 40 or 50 percent are becoming common. This higher rate is naturally a boon to the industry

since fewer dry holes will be drilled, thus lowering costs. However, it is also a benefit to the environment; impacts are reduced since fewer wells are drilled.

As important as 3D seismic is to exploration there is something it cannot do; it cannot predict whether oil is actually present in the rocks. 3D seismic can only show the distribution of the rocks in the subsurface. Only drilling can find oil.

The lack of data regarding ANWR's oil and gas resources represents the failure of the federal government to fulfill the Congressional mandate to evaluate the oil and gas potential of the 1002 area. The most recent attempt to unravel the complexities of ANWR geology was made by USGS in 1998 and entailed 3 years of study by 40 scientists. This is the most comprehensive study ever done and incorporated new field work, all the well data available and the information derived from reprocessing and reinterpretation of all the seismic data recorded in ANWR. This assessment contains the best information available to the public.

The results of this study showed an increase in the estimated amount of oil in ANWR compared to earlier assessments. Given the many new discoveries on the North Slope it is not hard to understand why the numbers grew. These new discoveries were, as the assessment concluded, in large part due to the application of new seismic and drilling technologies. According to the study "The increase results in large part from improved resolution of reprocessed seismic data and geologic analogs provided by recent nearby oil discoveries." Simply put, new discoveries on other parts of the North Slope have influenced the USGS reassessment of the 1002 area. This new geologic picture of the North Slope also resulted in the oil resource predicted in ANWR to be "redistributed" compared to earlier assessments. Unlike earlier assessments, now the majority of oil in ANWR is thought to be in the northwest portion of the 1002 area and thus closer to existing infrastructure. Again, only drilling can confirm this.

In round numbers the study says there are between 6 and 16 billion barrels of technically recoverable oil in the study area. The mean (average) is about 10 billion barrels. Technically recoverable oil is the amount of oil that actually comes out of the ground. At Prudhoe Bay the recovery factor is over 60 percent. The USGS used a very conservative 37 percent recovery factor in their ANWR assessment. If the recovery factor in ANWR fields can match Prudhoe Bay then the technically recoverable average increases to about 18 billion barrels. At today's higher oil prices, and assuming a reasonable recovery factor, the amount of oil economically recoverable, will be very close to the technically recoverable amount, or potentially even greater.

While the 1998 USGS study is based on sound scientific principles, this does not mean it is right. Despite all the studies that have been done, a simple fact remains: the amount of oil in the 1002 area is unknown. Also true is that existing data does show that ANWR is the best onshore oil prospect in the United States. Although ANWR has enormous potential, that potential will remain unrealized until drilling is allowed.

-----Comment-----

the Congressional mandate contained in ANILCA to evaluate the oil and gas potential of the 1002 coastal plain area has yet to be fulfilled and should be part of, or completed in conjunction with, the CCP/EIS process.

Comment 136817.003
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

Section 1001(b) of ANILCA also requires that the study referenced above include an assessment of "the potential oil and gas resources of these lands" and requires that the Service "make

recommendations concerning future use and management of those resources.” See, ANILCA, § 1001(b)(1). The study and findings authorized and required under sections 1001 and 1004 were required to be completed “no later than eight years after the date of enactment of [ANILCA].” In accordance with the statute, the USFWS began the required studies in 1981, and information gathered from the various biological, seismic and geological studies was used to complete a Legislative Environmental Impact Statement (LEIS), which included the Secretary's final report and recommendation, that was submitted to Congress in 1987. Notably, the environmental impact statement prepared by the Department of the Interior in connection with the report concluded that designation of the 1002 Area as wilderness “is not necessary to protect the 1002 area environment and is not in the best interest of the Nation.” Arctic National Wildlife Refuge, Alaska, Coastal Plain Resource Assessment: Report and Recommendation to the Congress of the United States and Final Legislative Environmental Impact Statement, U.S. Dep’t of the Interior, Apr. 1987, at 189. In addition, in that report the Secretary of Interior recommended that Congress authorize an oil and gas leasing program that would avoid unnecessary adverse effects on the environment.

Thus, although Congress has not acted to date on the recommendation in the report that was required by ANILCA, it is clear that the USFWS’s obligations under these provisions have long since been completed, and the provisions’ authorities are now moot and provide no further authority to the USFWS to undertake additional studies or reviews of the area’s wilderness potential or to recommend wilderness designation of the area on the basis of such studies or reviews.

Comment 032675.001
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The Commission questions whether the DCCP and DEIS fully comply with the basic planning requirements of ANILCA 304(g) which direct the Service to prepare a comprehensive conservation plan that examines a wide range of issues. In actuality, the DCCP and DEIS address only two questions. The first is whether additional lands within the refuge should be recommended for designation as wilderness. The second is whether additional rivers should be recommended for designation as wild and scenic rivers. The discussion and analysis in the DCCP and DEIS, as well as any proposals for future management actions, focus almost solely on these two points. The development of strategies to address other issues are left for future "step-down" plans. Considering their narrow and limited scope, we do not find that the DCCP and DEIS represent a comprehensive plan, as required by ANILCA.

Comment 136982.003
Mike Miller, Business Development Manager, Alaska Region
Granite Construction Company

ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. There have been considerable advancements in oil and gas exploration and development in the nearly 25 years since the original study was completed.

Comment 000033.002

**Bill Barron, State Director of the Division of Oil and Gas
State of Alaska**

Section 304 of ANILCA requires the plan
13 identify and describe present potential requirements
14 for infrastructure relative to oil and gas development.
15 The plan does not do this even though the study report
16 mandated by Section 1002(h) recommended that Congress
17 approve oil and gas development in the coastal plain.

Comment 032627.023

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

-----Preamble/Intro-----

In addition, we have the following specific comments regarding wilderness stewardship and visitor use:

-----Comment-----

In several instances (Pages 4-215, 4-216 and others) the draft CCP acknowledges that wilderness qualities along the Kongakut River are degraded by high levels of visitor use. The Draft CCP fails to address the fact that the Kongakut is not the only area of the Refuge where values have been degraded. Public comments were submitted during scoping, which included, as an example, photographic documentation of an aircraft landing strip scar on the upper Sheenjek River (in designated Wilderness and within the Wild River corridor) which had occurred since 1980. There are many other such examples. Omissions of this type render the draft CCP inadequate for meeting the basic requirements to “identify and describe significant problems” (Section 304 (g)(2)(E) of ANILCA). The Final CCP must describe and address resource problems in a more thorough and comprehensive manner.

Comment 136975.003

Mary Klebs

ANILCA required the Service to study 1002 area’s petroleum resources and consider how oil and gas development could impact wildlife and the environment. It also directed the Secretary of Interior to provide Congress with recommendations with respect to such development. In 1987, the Department of the Interior concluded oil development would have minimal impact on wildlife and recommended Congress open the coastal plain to development. ANILCA mandated the Service to periodically revisit the issue of oil and gas activity within the 1002 area. This directive is as clear as the mandate the Service claims to have that requires it to revisit wilderness issues. There have been considerable advancements in oil and gas exploration and development in the nearly 25 years since the original study was completed.

Comment 032651.005

Mark Lindsey

Issue: Is the 1002 Area a special case within the Refuge system and as such any blanket application of general management practices, refuge objectives and goals etc. may be inappropriate and inadequate under ANILCA?

Discussion: In ANILCA §1002, Congress set aside the Coastal Plain of ANWR and made it subject to special consideration. ANILCA includes several provisions concerning the 1002 Area that differ from the mandates for the Refuge system as a whole. By way of example, but not limitation, the standard applied to uses of Refuge lands generally is that such uses must be compatible with the major purposes for which such areas were established – a very restrictive provision. In ANILCA, Congress does not apply this restrictive standard to the 1002 Area. Instead, it established standards based on adverse effects. From ANILCA:

“3) an evaluation of the adverse effects that the carrying out of further exploration for, and the development and production of, oil and gas within such areas will have on the resources referred to in paragraph (2)”

“...what additional legal authority is necessary to ensure that the adverse effects of such activities on fish and wildlife, their habitats, and other resources are avoided or minimized.”

Congress recognized the possibility that oil and gas activities could have adverse effects on fish and wildlife – but still wanted to consider opening the 1002 area to such activities. This is very different from, and much more lenient than the “compatible with major purposes” standard that applies elsewhere in ANWR. Further, the very act of carving out the Coastal Plain for study distinguishes it from the rest of the Refuge. However, in the CCP, the Service applies the same standards, goals, etc., those applicable to the Refuge system as a whole, to the 1002 Area. This “one size fits all” approach ignores Congressional intent, and is a deficiency in the draft CCP.

Comment 230534.001
Drue Pearce

The No More Clause is the law & the EIS ROD supporting exploration in the Coastal Plain stands.

3.4.5 Refuge Purposes and ANILCA

Comment 136794.001
Bill Iverson, President
Alaska Outdoor Council

In Appendix D: Issues Considered but Eliminated from Detailed Study of the draft ANWR CCP and EIS agency staff wrote “There is nothing in the Refuge’s purpose, or mission of the Refuge System, that requires the Service to consider or propose development and utilization scenarios for natural resources, such as oil and gas, as part of the comprehensive conservation planning process.” Is it the policy of the Refuge System to not try and resolve conflicts concerning alternative uses of available resources if they are not stated in the refuge purpose? ANILCA Title III Sec. 303(2)(B). Claiming no responsibility for the decisions on oil and gas development in the Arctic Refuge because it isn’t listed as one of the purposes of the Refuge is contrary to NEPA requirements. Oil and gas development was one of the most commented on conflict between users groups during the ANWR CCP/EIS scoping period.

Comment 136820.004
Cindy Shogan, Executive Director
Alaska Wilderness League

In the CCP, the FWS states that the purposes for which the original Arctic National Wildlife Range (“Arctic Range”) was established only apply to those lands in the original Arctic Range: “Under Section 305 of the Alaska National Interest Lands Conservation Act (“ANILCA”), the Range’s original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range.”[3] However, under FWS’s own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System,[4]the purposes of the original Arctic Range apply to all Arctic Refuge lands. The misinterpretation and misapplication of Refuge purposes pervades the CCP and the management decisions that FWS is considering and proposing. Thus, it is vital that FWS clearly state that the original Arctic Range purposes apply to the entire Arctic Refuge and that the CCP reflect this understanding.

The original Arctic Range was established in 1960 “to preserve unique wildlife, wilderness, and recreational values.”[5] ANILCA expanded the original Arctic Range by adding 9.2 million acres, included additional refuge purposes and re-designated the unit as the Arctic National Wildlife Refuge. These new, additional purposes include:

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and graying; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and quantity within the refuge.[6]

ANILCA Section 305 states that:

All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.[7]

This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: “Sections 301, 302 and 303 set forth the purposes for each designated or redesignated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management.”[8]

The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.[9] All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wildness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and redesignated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes.

As FWS's longstanding policy and guidance regarding determining expanded refuge purposes clearly states:

When we acquire an addition to a refuge under an authority different from the authority used to establish the original refuge, the addition also takes on the purpose(s) of the original refuge unless Congress determines otherwise, but the original refuge does not take on the purpose(s) of the addition unless Congress determines otherwise.[10]

In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214).

Thus, applying FWS's policy for determining the purposes of a refuge, for FWS's current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congress that the original Arctic Range purposes should not apply to the entire Arctic Range. [11]

Accordingly the purposes of the original Arctic Range apply to the entire Arctic Refuge. The FWS should correct this mistake in the CCP.

Comment 136809.003

**William C. Reffalt, Vice President and Issues Coordinator
Blue Goose Alliance**

-----Preamble/Intro-----

Comments Directed to Specific Planning Issues

Beyond that summary and brief explanation, the Alliance herein offers a number of observations and comments regarding sections of the CCP that we believe have need of improved explanations or corrections to inadequate presentations in the current draft. We offer these in the spirit of assisting Refuge personnel in making the final CCP as informative, factual and friendly to the reader as possible. The CCP document is obviously a complex compilation of factual materials and explanations of intended future management protocols which includes compliance with the regulations of the Council on Environmental Quality regarding Environmental Impact Statements and public outreach.

-----Comment-----

II. Cooperation and Coordination With Others (Sections 1.3.1 – 1.3.5)

Several sections in Chapter One provide inaccurate information regarding the provisions of ANILCA, the authority and responsibility of the Refuge in its administration of the refuge and its resources and its role in coordination and cooperation with the numerous stakeholders.

The following discussion of Federal Court decisions related to Constitutional Law include the basics needed to understand the legal foundations for federal management of National Wildlife Refuges and the fish, wildlife, plants and their respective habitats found therein (and the numerous other resources and responsibilities delegated to the Secretary of the Interior by Congress, and re-delegated to the Director of FWS and thence down the chain of command to the Refuge Manager).

Chapter 2 of Michael Bean's third edition of *The Evolution of National Wildlife Law*¹ discusses the legal framework for the development of Federal wildlife law and presents the key provisions of the Constitution and Federal Court cases that establish the foundation for it. Of primary importance are the provisions in the Constitution known as the Property Clause, the Treaty-making power and the Commerce Clause. Bean and Rowland find that "[t]he *Kleppe* decision and *Missouri v. Holland* clearly establish the property clause and the treaty-making power as sound sources of authority for federal wildlife law, notwithstanding the state ownership doctrine." (Bean and Rowland, *Ibid.* p.23) Following a two page discussion of several court decisions regarding federal authorities under the Commerce Clause, the authors state, "In Light of these decisions, it is clear that federal authority to regulate wildlife under the commerce clause is of equal stature to that conferred by the property

clause. Accordingly, federal regulation of wildlife pursuant to the commerce clause is unrestrained by the state ownership doctrine. In fact, the contention that state ownership bars federal wildlife regulation has received no authoritative judicial support since the 1912 decision in *The Abby Dodge*, a decision that, though never overruled, has been given a quiet interment.” (Bean and Rowland, *Ibid.* pp. 24-25)

To avoid wordy and complicated restatement of important decisions of the Federal Courts regarding these matters, I have elected to simply quote key findings from the pertinent court decisions on the Constitutional basis of Federal authorities to manage fish, wildlife, plants and habitats on National Wildlife Refuges:

The Property Clause authority and Congressional delegation in the National Wildlife Refuge System Administration Act : On August 24, 1999, the U.S. District Court in Cheyenne, Wyoming for the District of Wyoming held for the U.S. position on all counts in a lawsuit initiated by the State of Wyoming against the United States related to management of the National Elk National Wildlife Refuge. In that case (No. 98-CV-037B), the State of Wyoming asserted a claim to primacy with respect to the management of Elk on the National Wildlife Refuge (NENWR). Although the Judge was clearly sympathetic to the claims of the State, he ruled in favor of the position taken by the Federal Government on every issue.

Some key holdings by Judge Brimmer:

1. The Property Clause of the Constitution, Article IV, Section 3 “permits an exercise of the complete power which Congress has over public property entrusted to it...[and that] necessarily includes the power to regulate and protect the wildlife there.” (quoting from *Kleppe v. New Mexico* – 426 U.S. 529 (1976), a decision by the U.S. Supreme Court)
2. “Kleppe provides that the authority to regulate wildlife on federal public lands was not a power left to the several States.” (quoting Wyoming Judge Brimmer)
3. “Further, the Supreme Court, in *Kleppe*, determined that managing wildlife on federal land was not a power reserved to the States; it was taken by the Federal Government under the auspices of the Property Clause. Simply put, Wyoming does not have the sovereign power to manage wildlife on Federal lands and the provisions of the Refuge Act do not grant Wyoming that power.” (again quoting Judge Brimmer)
4. “The mission of the Refuge Act is to provide a national network of lands whereby wildlife can be managed and preserved for future generations.... Allowing each state to manage wildlife on the national refuges within its borders would thwart the goal of creating a nationwide network of lands to be managed by one entity.” (Judge Brimmer)
5. “Wyoming does not have mutual rights to manage wildlife on the Elk Refuge.”
6. “The Property Clause gives the Federal Government complete power over particular public property that Congress has entrusted to it...the Refuge Act grants the authority to manage wildlife on refuge lands to the Secretary of the Interior. Congress has intended, through the sweeping general language of the Refuge Act, to vest such authority in the Secretary.” (Judge Brimmer)
7. “Congress has undoubtedly envisioned a nationwide, cohesively administered network of lands and waters where wildlife would be managed and conserved under the direction of the Secretary. There is no indication in these provisions that Congress intended to curtail the Secretary’s power or leave any residual power to the States.” (Judge Brimmer)
8. “A more reasonable interpretation of the ‘saving clause’ (in the Refuge Improvement Act) is that it reflects a Congressional intent for states to retain their role as primary managers of hunting and fishing of resident wildlife within their borders as consistent with State law ‘to the extent practicable’.” (Judge Brimmer)

The Commerce Clause authority

In general, the States have relied upon a Supreme Court decision rendered in 1896 entitled *Geer v. Connecticut* - 161 U.S. 519 (1896) which expounded a state ownership doctrine. However, over the years since that decision, there have been a number of decisions eroding the concept and, in a decision rendered by the Supreme Court in 1979, it was bluntly overruled:

The Supreme Court held in *Hughes v. Oklahoma*, 441 U.S. 322 (1979):

“The Oklahoma statute is repugnant to the Commerce Clause. (*Hughes v. Oklahoma*, pp. 325-339)
“(a) *Geer v. Connecticut* ... is overruled. Time has revealed the error of the result reached in *Geer*

through its application of the 19th Century legal fiction of state ownership of wild animals. Challenges under the Commerce Clause to state regulations of wild animals should be considered according to the same general rule applied to state regulations of other natural resources. (*Hughes v. Oklahoma*, pp. 326-335) “(b) Under that general rule, this Court must inquire whether the challenged statute regulates evenhandedly with only ‘incidental’ effects on interstate commerce, or discriminates against interstate commerce either on its face or in practical effect; whether the statute serves a legitimate local purpose; and, if so, whether alternative means could promote this local purpose as well without discriminating against interstate commerce. (*Hughes v. Oklahoma*, p. 336) “(c) The Oklahoma statute on its face discriminates against interstate [441 U.S. 322, 323] commerce.... (*Hughes v. Oklahoma*, pp. 336-338) “(d) States may promote the legitimate purpose of protecting and conserving wild animal life within their borders only in ways consistent with the basic principle that the pertinent unit is the Nation; and when a wild animal becomes an article of commerce, its use cannot be limited to the citizens of one State to the exclusion of citizens of another state. (*Hughes v. Oklahoma*, pp. 338-339)

The Treaty-Making power

The seminal decision of the Supreme Court regarding the Treaty-making powers of the Federal Government and its application to wildlife management occurred in *Missouri v. Holland*, 252 U.S. 416 (1920). Bean and Rowland (pp. 17-19) present the key findings and provide a brief discussion: “Justice Oliver Wendell Holmes, writing for the seven-member majority that included Justice Louis Brandeis and even Chief Justice White, easily disposed of Missouri’s ownership argument: ‘The State ... founds its claim of exclusive authority upon an assertion of title.... No doubt it is true that as between a State and its inhabitants the State may regulate the killing and sale of such birds, but it does not follow that its authority is exclusive of paramount powers. To put the claim of the State upon title is to lean upon a slender reed. Wild birds are not in the possession of anyone; and possession is the beginning of ownership....

...

‘But for the treaty and the statute [i.e. the Migratory Bird Treaty of 1916 and MBT Act of 1918] there soon might be no birds for any powers to deal with. We see nothing in the Constitution that compels the Government to sit by while a food supply is cut off and the protectors of our forests and our crops are destroyed. It is not sufficient to rely upon the States. The reliance is vain.’ (Quoting from the decision, pp. 434-435)

“*Missouri v Holland* established beyond question the supremacy of the federal treaty-making power as a source of authority for federal wildlife regulation. More importantly, it forcefully rejected the contention that the doctrine of state ownership of wildlife barred federal wildlife regulation, and it invited the question of what further sources of federal power might be used in developing a body of federal wildlife law.”

Given the above Supreme Court and Federal District Court decisions, the information in the draft CCP in a number of locations is decidedly biased against Federal authorities granted to the Refuge in the Constitution and current law. Changes should be made to sections dealing with refuge authority to exert increased regulatory and other control of commercial and other visitors, public uses of refuge resources, the ability to require permits conditioned by limits that better protect refuge lands and waters, and related matters, including limiting overcrowding and related problems in some public uses including river usage, fuel and other storage caches, and hunting (which may be affecting refuge wildlife populations and wildlife habitats). While cooperation and coordination are reality in America’s land management milieu, the strong position of refuge management – and the responsibilities placed upon it pursuant to its primary purposes and several other statutes – should leave no doubt that the authority necessary to correct overuse, crowding, damage to refuge land, conflicts between users, etc., rests firmly and unequivocally with the Refuge Manager.

Comment 136801.008
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

A. The Original Arctic National Wildlife Range's Purposes Apply to the Entire Arctic Refuge
In the CCP, the FWS states that the purposes for which the original Arctic National Wildlife Range ("Arctic Range") was established only apply to those lands in the original Arctic Range: "Under Section 305 of the Alaska National Interest Lands Conservation Act ("ANILCA"), the Range's original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range."²² However, under FWS's own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System,²³ the purposes of the original Arctic Range apply to all Arctic Refuge lands. The misinterpretation and misapplication of Refuge purposes pervades the CCP and the management decisions that FWS is considering and proposing. Thus, it is vital that FWS clearly state that the original Arctic Range purposes apply to the entire Arctic Refuge and that the CCP reflect this understanding.

The original Arctic Range was established in 1960 "to preserve unique wildlife, wilderness, and recreational values."²⁴ ANILCA expanded the original Arctic Range by adding 9.2 million acres, included additional refuge purposes and re-designated the unit as the Arctic National Wildlife Refuge. These new, additional purposes include:

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and graying; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and quantity within the refuge.[²⁵]

ANILCA Section 305 states that:

All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.[²⁶]

This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: "Sections 301, 302 and 303 set forth the purposes for each designated or redesignated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management."²⁷

The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.²⁸ All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wilderness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and redesignated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes.

As FWS's longstanding policy and guidance regarding determining expanded refuge purposes clearly states:

When we acquire an addition to a refuge under an authority different from the authority used to establish the original refuge, the addition also takes on the purpose(s) of the original refuge unless Congress determines otherwise, but the original refuge does not take on the purpose(s) of the addition unless Congress determines otherwise.[29]

In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214).

Thus, applying FWS's policy for determining the purposes of a refuge, for FWS's current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congressional that the original Arctic Range purposes should not apply to the entire Arctic Range. 30

Accordingly the purposes of the original Arctic Range apply to the entire Arctic Refuge. The FWS thus should correct this mistake throughout the CCP.

Comment 136801.019

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 1-18. "Under Sec. 305 of ANILCA, the Range's original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range. ANILCA also added new purposes that pertain to the entire Refuge."

We agree that "the Refuge's ANILCA purposes are consistent with and complementary to the original purposes for the Arctic National Wildlife Range," but have provided ample documentation that the original Range purposes should also undergird the purposes of the entire refuge (see Section above)

Oil and gas exploration, development, and production are not purposes of the Arctic Refuge; the Service correctly did not include these as purposes of the Arctic Refuge.

Comment 137014.001

**Dan Ritzman, Alaska Program Director
Sierra Club**

In the CCP, the FWS states that the purposes for which the original Arctic National Wildlife Range ("Arctic Range") was established only apply to those lands in the original Arctic Range: "Under Section 305 of the Alaska National Interest Lands Conservation Act ("ANILCA"), the Range's original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range." [2] However, under FWS's own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System, [3] the purposes of the original Arctic Range apply to all Arctic Refuge lands. The misinterpretation and misapplication of Refuge purposes pervades the CCP and the management decisions that FWS is considering and proposing. Thus, it is vital that FWS clearly state that the original Arctic Range purposes apply to the entire Arctic Refuge and that the CCP reflect this understanding.

The original Arctic Range was established in 1960 "to preserve unique wildlife, wilderness, and recreational values." [4] ANILCA expanded the original Arctic Range by adding 9.2 million acres, included additional refuge purposes and re-designated the unit as the Arctic National Wildlife Refuge. These new, additional purposes include:

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not

limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and graying; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and quantity within the refuge.[5]

ANILCA Section 305 states that:

All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.[6]

This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: “Sections 301, 302 and 303 set forth the purposes for each designated or redesignated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management.” [7]

The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.[8] All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wilderness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and redesignated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes.

As FWS’s longstanding policy and guidance regarding determining expanded refuge purposes clearly states:

When we acquire an addition to a refuge under an authority different from the authority used to establish the original refuge, the addition also takes on the purpose(s) of the original refuge unless Congress determines otherwise, but the original refuge does not take on the purpose(s) of the addition unless Congress determines otherwise.[9]

In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214).

Thus, applying FWS’s policy for determining the purposes of a refuge, for FWS’s current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congressional that the original Arctic Range purposes should not apply to the entire Arctic Range. [10]

Accordingly the purposes of the original Arctic Range apply to the entire Arctic Refuge. The FWS thus should correct this mistake in the CCP.

Comment 136805.010
Sean Parnell, Governor
State of Alaska

While the 1988 CCP for the Arctic Refuge makes no mention of the original Range purposes, the revised Plan inappropriately extends the purposes cited in Public Land Order 2214, which created the Arctic Range, to the entire Arctic Refuge. The draft Plan relies on Section 305 of ANILCA in claiming that .the Range’s original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range.. (page 1-18). In addition, the Plan asserts .The Refuge’s ANILCA purposes are consistent with and complimentary to the original purposes for the Arctic National Wildlife Range.. (page 1-18) The draft Plan takes this further by stating core management direction is based on the premise that the original range purposes do not conflict with ANILCA or ANCSA: .The Refuge’s special values, vision statement, goal and objectives are rooted in these [Range and ANILCA] purposes.. (page 1-12).

However, ANILCA Section 305 explicitly recognizes that prior authorities, such as PLO 2214, remain .in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act and, in any such case, the provisions of such Acts shall prevail.. ANILCA Section 303(2), which established the Refuge and redesignated the Range as part of the Refuge, does not include .[preservation of] unique . . . wilderness . . . values. (PLO 2214) in the list of purposes for which the Refuge was established and is to be managed. Instead, wilderness areas within wildlife refuges are specifically identified in Section 702 of ANILCA, and Section 702(3) specifically designates a portion of the original Range. The wilderness preservation management directive in PLO 2214 therefore applied only to the original Range, and has been superseded by the formal wilderness designation of the original Range in ANILCA section 702(3).

Not only has the wilderness directive in PLO 2214 been superseded by the formal wilderness designation in ANILCA section 702(3), but its wilderness directive cannot be read into the management intent for the rest of the Refuge, as set forth in ANILCA Section 303(2). As stated above, wilderness preservation is pointedly absent from the list of purposes for which the Refuge was established. Instead, ANILCA Section 1317 provided for a one-time wilderness review of wildlife refuges in Alaska, reserving to Congress the ultimate determination as to whether any of the remainder of the Refuge was to be managed to preserve wilderness character.

Furthermore, ANILCA includes a variety of provisions applicable to refuge management that would not be consistent with the original range purposes, especially as described in Sections 1.4.1.1 through 1.4.1.3 of the draft Plan. A prime example of a provision that would certainly conflict with the original Range purposes is ANILCA Section 1002, which addressed authorizing oil and gas exploration and development in the Arctic coastal plain, and, in subsection 1002(h), tasked the Secretary to evaluate and recommend to Congress whether oil and gas exploration and development should be permitted. Other examples include motorized access allowed in Sections 811 and 1110, and cabins authorized in Section 1303, which likely conflict with all three purposes, as described in PLO 2214 and sections 1.4.1.1 through 1.4.1.3 of the draft Plan.

The draft Plan also fails to consistently make clear that the PLO 2214 Range purposes, if they do in fact apply, would apply only to the former Range. For example, the wilderness purposes of the original Range do not apply to the ANILCA additions, and therefore, cannot be used to justify conducting a wilderness review of the Brooks Range and Porcupine Plateau areas. (Page H-16 and H-21) Numerous other examples that illustrate this are provided below in the page-specific comments.

The Service must fully quote Section 305 and properly address the purposes identified in PLO 2214, as they are modified by the full context of ANILCA. The original Range purposes cannot provide justification for precluding any activities, now or in the future, that conflict with ANILCA.

Comment 032628.037
Fran Mauer, Alaska Chapter
Wilderness Watch

The Original Arctic National Wildlife Range's Purposes Apply to the Entire Arctic Refuge

In the CCP, the FWS states that the purposes for which the original Arctic National Wildlife Range ("Arctic Range") was established only apply to those lands in the original Arctic Range: "Under Section 305 of ANILCA, the Range's original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range." DEIS at 1-18. See also U.S. FWS Refuge Purposes Arctic National Wildlife Refuge Map, available at: <http://arctic.fws.gov/pdf/ccppurposesp2011.pdf>. However, under FWS's own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System, see FWS Refuge Management Part 601 National Wildlife Refuge System, 601 FW 1 at 1.16 (July 26, 2006), the purposes of the original Arctic Range apply to all Arctic Refuge lands.

The original Arctic Range was established in 1960 "to preserve unique wildlife, wilderness, and recreational values." Public Land Order 2214 (Dec. 6, 1960). The Alaska National Interest Lands Conservation Act ("ANILCA") expanded the original Arctic Range by adding 9.2 million acres, included additional refuge purposes and re-designated the unit as the Arctic National Wildlife Refuge. These new, additional purposes include:

- (i) to conserve fish and wildlife populations and habitats in their national diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and graying;
- (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
- (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and
- (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and quantity within the refuge.

94 Stat. 2390, P.L. 96-487 at §303(2) (Dec. 2, 1980).

As FWS's longstanding policy and guidance regarding determining expanded refuge purposes clearly states:

When we acquire an addition to a refuge under an authority different from the authority used to establish the original refuge, the addition also takes on the purpose(s) of the original refuge unless Congress determines otherwise, but the original refuge does not take on the purpose(s) of the addition unless Congress determines otherwise.

601 FW 1 at 1.16. In the present case, the Arctic Refuge additions were established under a different authority (ANILCA) than the authority used to establish the original Arctic Range (Public Land Order 2214). Thus, applying FWS's policy for determining the purposes of a refuge,¹ for FWS's current determination that the Arctic Range purposes only apply to those lands within the original Arctic Range to hold true, there would need to be some indication from Congressional that the original Arctic Range purposes should not apply to the entire Arctic Range.

Nothing in ANILCA indicates that Congress did not intend the original Arctic Range purposes to apply to the entire Arctic Refuge. To the contrary, ANILCA Section 305 states that:

All proclamations, Executive orders, public land orders and other administrative actions in effect on the day before the date of the enactment of this Act with respect to units of the National Wildlife Refuge System in the State shall remain in force and effect except to the extent that they are inconsistent with this Act or the Alaska Native Claims Settlement Act.

P.L. 96-487 (Dec. 2, 1980) (emphasis added). This is a clear statement from Congress that Public Land Order 2214 — which set forth the Arctic Range purposes — was to remain in effect post-ANILCA unless it is inconsistent with ANILCA. The legislative history of ANILCA indicates that Congress did not intend the purposes included in ANILCA for the expanded Arctic Refuge to be the exclusive refuge purposes: “Sections 301, 302 and 303 set forth the purposes for each designated or redesignated unit and additions to existing units. Enumeration of purposes is not exclusive, but is set forth as a guide for management.” House Report No. 96-97(I) at 174 (April 18, 1979) (emphasis added).

The purposes set out in Public Land Order 2214 for the Arctic Range are not inconsistent with the purposes set out in ANILCA for the Arctic Refuge; the two authorities set forth overlapping and complimentary purposes recognizing the exceptional wilderness, wildlife, recreation, subsistence resources, international importance, and water quality of the Refuge.² All of the values recognized in both sets of purposes support the other recognized values; for example, recognizing and managing to protect the wilderness values of the Arctic Refuge allows for the achievement and furtherance of protecting the wildlife values.

Thus, ANILCA itself and its legislative history indicate that Congress intended that Public Land Order remain in effect for the newly expanded and redesignated Arctic Refuge and that the purposes included in ANILCA were to be inclusive, rather than exclusive, of existing Arctic Refuge purposes. Accordingly, because these purposes are complimentary and not inconsistent, under FWS’s policy, the purposes of the original Arctic Range apply to the entire Arctic Refuge.

We request that the Final CCP be revised in all appropriate sections to correct the Draft CCP which misconstrues the laws and policies regarding Refuge purposes (as described above).

Comment 221177.001

Drue Pearce

-----Preamble/Intro-----

ANILCA is THE law of the land. The purpose of the 1002 section is to authorize exploratory activity within the coastal plain.

-----Comment-----

This CCP represents a blatant attempt to bend or break the law. It is clear that the authors want to ignore the No More Clause with this biased attempt to incorrectly interpret the Service's mission in a manner that would preclude the exploration called for by both ANILCA and the Service's ROD.

3.4.6 Wild and Scenic Rivers and ANILCA

Comment 032620.006

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

No "Further Act of Congress" Authorizes Consideration of New Wilderness and Wild and Scenic Rivers in ANWR

USFWS cites no "further Act of Congress" subsequent to ANILCA as required by Section 1326(a) to authorize consideration in the CCP of establishment of new conservation system units in the form of new wilderness and wild and scenic rivers. No such authority is apparent.¹⁴

Comment 032675.005

**Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas**

In the June 2010 scoping comments and again in our November 2010 comments on the Draft Wild and Scenic River Eligibility Report the Commission also objected to the decision to conduct wild and scenic river reviews. In addition to pointing out that these reviews ran contrary to ANILCA Section 1326(b), we also reminded the Service that one of the primary purposes for establishing the Arctic Refuge was to ensure "water quality and necessary water quantity within the refuge." (ANILCA Section 303(2)(B)(iv)).

After reviewing the Wild and Scenic River Review in Appendix I of the DCCP, the Commission renews its objection and requests that the Service discontinue any further efforts to complete the review process or to make any recommendation for designation of any additional wild and scenic rivers within the Arctic Refuge.

Comment 136795.001

**David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection**

We also encourage the agency to review its management of the Ivishak, upper Sheenjok and Wind rivers within the boundaries of the Arctic Refuge that were designated as wild rivers in Section 602 of ANILCA, and address current and future agency efforts to maintain the outstanding values associated with these three Wild Rivers.

Comment 136805.007

**Sean Parnell, Governor
State of Alaska**

The State reiterates its strong objection to the wild and scenic river study and remains opposed to any recommendations for additional wild and scenic river designations in the Arctic Refuge. This study is in direct conflict with ANILCA Section 1326(b).

ANILCA defines conservation system units to include wild and scenic rivers, and amended the Wild and Scenic River Act to add 26 rivers to the Wild and Scenic River System. ANILCA also directed the study of 12 additional Alaska rivers for potential wild or scenic designation. ANILCA Section 606 further amends the Wild and Scenic River Act specifically for rivers either designated or identified for study by ANILCA. While the draft Plan indicates the wild and scenic river review is a required

element of comprehensive conservation plans, nothing in ANILCA supports this conclusion. Section 304(g) contains no requirement for wild and scenic river studies, and section 1326(b) expressly prohibits them:

No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.

The draft Plan also states:

These reviews are administrative actions and a means by which the Refuge can assess the efficacy of its management in meeting Refuge purposes and other legal requirements.... (Page D-3, 6th paragraph)

As noted in the previous section regarding wilderness reviews, the Service has ample administrative tools available to evaluate the effectiveness of management without conducting a study that violates ANILCA. The sole purpose of a wild and scenic river review is to evaluate a river's suitability for congressional designation as a wild or scenic river, which ANILCA defines as a conservation system unit. A collateral, administrative objective cannot pre-empt the statutory language of ANILCA.

Comment 136805.008

**Sean Parnell, Governor
State of Alaska**

the Wild and Scenic River Eligibility Report, included in this draft Plan as part of the Wild and Scenic River Review (Appendix I), was also distributed to stakeholders for review and comment separate from, and prior to, the release of the draft Plan and DEIS, which further indicates the wild and scenic river review was in fact conducted for the .single purpose. (ANILCA Section 1326(b)) of considering the establishment of a conservation system unit. In ANILCA section 1326(b), Congress specifically reserved for itself the authority to direct further studies to support establishment of conservation system units in Alaska. The Service may not usurp this authority by invoking a collateral, administrative purpose for conducting a wild and scenic river review.

Comment 136938.003

Brian Newton

ANWR's central area already contains 9 million acres of Wilderness land. Alternatives "C" and "E" of the Draft CCP recommend the additional inclusion of the 10-02 Coastal Plain for Wilderness status. This recommendation immediately runs up against a provision called the "No More Clause" of ANILCA, ANWR's creation bill. The No More Clause specifically states that no study for nor designation of any land in Alaska for "wilderness" or any other restricted use, can take place without the express permission of Congress. The CCP, by addressing wilderness status, is indeed a study for the potential designation of land for wilderness status. Further recommendations in the Alternatives listed are for Wild or Scenic River status on some of the rivers flowing through ANWR and onto the Coastal Plain.

Designation of Wild or Scenic River status would bring extreme restrictions on land adjacent to these rivers if declared. Such designation, similar to wilderness status, would restrict future development in these areas. Therefore, I strongly recommend that no action be taken by the ANWR CCP in any recommendation for more wilderness land or protective river status in ANWR.

3.5 TOPIC: Archaeological Resources

3.5.1 Area History

Comment 032620.016

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

Page 4-164, Section 4.4.4: Subsistence Uses

This section, and others, uses a “blended” approach to the history of resource use and puts use by “ancestors of the Iñupiat and Athabascan peoples” on seemingly equal footing. This paradigm ignores the archaeological evidence of more intensive year-round use of the landscape by Inupiat people.

The first archaeology done in Arctic Alaska was conducted in June and July 1914 by Diamond Jenness in what is now the Refuge. Large permanent village sites on Barter Island and Arey Island (as opposed to ephemeral sites south of the Brooks Range the CCP document cites) testify to the intensive year-round and permanent ties to the landscape by the ancestors of the Inupiat. This “leavening” approach taken by the authors of the document in regards to the history of land use is not an accurate portrayal of the past and tends to over emphasize the intensity of Athabascan use through time.

3.5.2 General

Comment 136833.001

Unnamed 16

Traditional trails have been there for millennia and need protection.

3.6 TOPIC: Biological Environment

3.6.1 *General, multiple resources (fish, wildlife, plants)*

Comment 136801.016

Pamela Miller, Arctic Program Director

Northern Alaska Environmental Center

Because of the dual management practices for fish and wildlife between the Service and ADF&G, this plan should include the Service's goals, not simply rely on ADF&G management objectives for the Refuge's big-game and fish populations described in Chapter 4.

Comment 032613.002

Jon Klingel

The Marsh Fork is biologically very productive especially for Dall sheep, brown bear, wolves and at times caribou and moose. There are several sheep mineral licks within a half mile of the river. There is some use by wolverine. The Canadian Arctic Gas Study Limited (CAGSL) volume 24 contains considerable biological information about this area. I assume you have the CAGSL series.

3.7 TOPIC: Cabins/Camps

Comment 032675.014

**Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas**

Guidance for cabin management in the 1988 CCP was developed prior to the promulgation of regulations for the use and construction of cabins within national wildlife refuges in Alaska. At the time the CCP was adopted, cabins were managed under a regional policy that was not uniformly applied and which was not consistent with the provisions of ANILCA. Following public review and comment a revised cabin policy was adopted in 1989. Formal cabin regulations were adopted in 1994.

The regional cabin policy was revised in 2010, without any public notice or opportunity for public review and comment. We question whether its use is appropriate in making any determinations regarding the permitting of cabins on the Arctic Refuge.

The Service estimated in the 1988 CCP that there were 37 cabins on refuge lands used for trapping or other customary and traditional subsistence uses. According to that CCP, 25 of those were used to "some degree" and 12 were not being actively used. Twelve of the cabins were under special use permit. The original CCP (pg. 210) states: "The Service eventually will place all of the cabins on refuge lands under permit, or declare them abandoned after researching their pattern of use." The 1988 CCP also stated that a detailed inventory of cabins and their uses on refuge lands would be conducted and that before declaring a cabin abandoned, the Service will research its pattern of use and that all cabins determined to be abandoned will be disposed of in accordance with Service policy.

The DCCP provides no specific information on the present status of cabins or cabin permits on the Arctic Refuge. We do understand that there are fewer cabins being used or under permit than when the original CCP was adopted. The revised CCP should include the results of the cabin inventory and the current status of cabins on the Arctic Refuge, including a listing of any that have been removed since the 1988 CCP was adopted.

Comment 136805.024

**Sean Parnell, Governor
State of Alaska**

We request information on the number of cabins on the Refuge, their condition, and which cabins are categorized as abandoned and why. It is our understanding there were 37 cabins on the Refuge at the time of the original CCP. While we support cleaning up hazardous or contaminated materials from abandoned cabins and hunting guide camps, we do not support removal of cabins or camps as they are .features of... historical value. as outlined by the Wilderness Act and they also provide important emergency shelter. We further maintain that removal of any cabin within the refuge would require appropriate analysis under the National Environmental Policy Act and Congressional notification.

Comment 136745.001

NoraJane Burns

Nora Jane Burns said a guide messed up her husband's portable camp. Our hunters should have their camps protected even if they are outside their traditional allotments. When a law enforcement officer came, he or she told her husband to clean up the mess as if blaming her husband for the problem

Comment 032662.005
David McCargo

Additional permanent and semi-permanent subsistence facilities, or any structures for that matter, should be disallowed because their proliferation could be endless.

Comment 136998.004
Thor Stacey

Supporting additional areas of wilderness designation is tempting for me, due the extra statutory protections afforded but I'm opposed to the resulting moratorium on the construction of trapping/emergency cabins for subsistence use. This should be amended to provide and special avenue for cabin approval.

3.8 TOPIC: Climate and Climate Change

3.8.1 Cumulative Effect

Comment 136820.015

**Cindy Shogan, Executive Director
Alaska Wilderness League**

Given the wilderness character of the Refuge, the Service should also guard against increasing other stressors, and proposals for new uses or management activities on the Refuge should be evaluated carefully with respect to potential cumulative impacts on resources potentially threatened by climate change.

Comment 136820.016

**Cindy Shogan, Executive Director
Alaska Wilderness League**

to strengthen the CCP, we recommend that the FWS include additional analysis of the impacts of climate change on wildlife and habitats to ensure robust consideration of climate change impacts on the Arctic Refuge.

Comment 136796.006

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

The Draft CCP comprehensively details the past, current, and projected future climate on the Refuge using models and scenarios specific to Alaska.[30] It does a good job of outlining climate change impacts to various Refuge resources and ecological processes, including permafrost, fire regime, lakes and wetlands, coastal habitats, and nutrient cycling and mobilization of contaminants.[31] The Draft CCP also covers a broad suite of potential impacts to vegetation, including changes in phenology, alterations in the distribution and composition of communities, treeline shifts, spread of invasive species, and pest and pathogen outbreaks. However, we recommend that the Service give additional attention to the interactions among these various impacts. For instance, how will the interactions of forest pests and fire affect forest health in a warmer environment? How will drying interact with loss of permafrost to impact tundra communities? How will coastal erosion interact with other changes on the tundra?

Comment 136796.007

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

The Draft CCP is less detailed in its treatment of how well-documented habitat impacts will affect the Refuge's wildlife. For instance, the discussion of the Refuge's birds contains narratives on many species of interest, including swans, loons, snow goose, common eider, long-tailed duck, raptors and others.[32] However, despite numerous threats documented to multiple bird species, both on the Refuge and on migration and wintering grounds, climate change is discussed only briefly in this section: one reference to the impacts of tundra shrub succession and coastal erosion on shorebirds, and another reference to the possibility that changes in woody vegetation will impact Smith's longspurs, with unknown effects. Potential impacts to birds, as well as to freshwater biota, have

been documented at length by Kittel et al.[33] Defenders has also discussed threats to the red-throated loon in our Navigating the Arctic Meltdown series.[34]

The Draft CCP's discussion of Refuge mammals similarly gives only brief attention to climate change impacts on most species.[35] Climate change is given substantial treatment only as a threat to polar bears because, as the Draft CCP rightly states, “[c]limate change is perhaps the greatest current conservation concern for polar bears.”[36] However, it is mentioned only in passing as a potential threat for caribou, Dall sheep, and rodents and hares. Defenders conducted a detailed vulnerability analysis for the entire mammal fauna of the Refuge using the Natureserve Climate Change Vulnerability Index (CCVI) to evaluate species based on their exposure to climate changes and a variety of sensitivity traits. We found that nearly half the mammal species of the Refuge are either “Extremely Vulnerable” or “Highly Vulnerable” to climate change in the Refuge over the next 50 years. We have appended to our comments a copy of the resultant report, titled “No Refuge From Warming.”³⁷

Comment 136801.046
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

to strengthen the CCP, we recommend that the FWS include additional analysis of the impacts of climate change on wildlife and habitats to ensure robust consideration of climate change impacts on the Arctic Refuge.

Comment 137014.012
Dan Ritzman, Alaska Program Director
Sierra Club

Given the wilderness character of the Refuge, the Service should also guard against increasing other stressors, and proposals for new uses or management activities on the Refuge should be evaluated carefully with respect to potential cumulative impacts on resources potentially threatened by climate change.

Comment 137014.013
Dan Ritzman, Alaska Program Director
Sierra Club

Additionally, to strengthen the CCP, we recommend that the FWS include additional analysis of the impacts of climate change on wildlife and habitats to ensure robust consideration of climate change impacts on the Arctic Refuge.

3.8.2 Effects of Alternatives

Comment 009509.001
Lou Brown

It's worth noting that if the Coastal Plain of the refuge was to ultimately be designated as wilderness, its store of carbon would be sequestered, thus

making a contribution to reducing the climate change that would impact the refuge.

Comment 032648.001

Lou Brown

It is worth noting that if the Coastal Plain of the Refuge was to ultimately be designated as wilderness, its store of carbon would be sequestered thus making a contribution to reducing the climate change that would impact the Refuge. Alternative C will let Fish and Wildlife Service put two ducks under one umbrella!

Comment 136784.004

Adrienne Hall

Under New Management Guidelines, I support Statement #6 about climate change. However, it is important that the Refuge specify how far it's willing to go in terms of manipulation. I support a non-intervention approach, but the statements in the draft are somewhat contradictory. Management Guideline #1 Fish and Wildlife Habitat Management seems to suggest that some degree of manipulation is acceptable while the climate change goal emphasizes a let-it-be approach. How far is the Refuge willing to go to control invasive species? Is spraying for invasive weeds acceptable? What about fencing off million of acres? Where do you draw the line in terms of maintaining "natural" conditions? One solution would be to define the term "natural" as "freedom from intentional human control." Then you could add the exceptions listed in Statement #6 (public safety, T & E species, subsistence, though you still walk a slippery slope with how far you're willing to go to maintain those things if climate change is forcing them out of Refuge boundaries or into extinction.) Either way, I think the Refuge would benefit from being more specific about its definition of natural and the limits of mechanical treatments and construction of structures in the face of climate change when it is unlikely that the future assemblage of species will reflect the current one.

3.8.3 General Impacts

Comment 136796.005

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

Defenders recently developed a set of criteria for evaluating how well climate change is incorporated into final CCPs. As the Service finalizes the plan for the Arctic Refuge, we recommend that planning staff refer to these criteria to ensure that consideration of climate change is comprehensive. The fact sheet, "Climate Change and National Wildlife Refuge Conservation Planning," that includes these criteria is appended to these comments.

Comment 009544.004
Frank Keim

in addressing climate change, the plan should allow natural systems to evolve and adapt without intervention.

Comment 032622.005
Frank & Jennifer Keim

In addressing climate change, the plan should allow natural systems to evolve and adapt, without intervention.

Comment 000061.001
Wendy Loya

12 It will be important for the Refuge to
13 work with the broader arctic scientific community to
14 quickly identify a climate relevant monitoring program,
15 one that respects the wilderness character of the
16 Refuge.

Comment 000061.002
Wendy Loya

-----Preamble/Intro-----

12 It will be important for the Refuge to
13 work with the broader arctic scientific community to
14 quickly identify a climate relevant monitoring program,
15 one that respects the wilderness character of the
16 Refuge.

-----Comment-----

18 Finally, engaging the local
19 communities, like Kaktovik, Arctic Village and Venetie,
20 will also provide important insight into change on the
21 Refuge.

Comment 009556.002
John Lyle

I also address addressing -- support addressing climate change, specifically by reducing stressors on wildlife and natural systems, including humans, meaning the visitor impacts should be monitored and strictly regulated so that the wilderness character is not only preserved but restored to its original condition.

Comment 00092.001
Robert White

28 So all the way from the Yukon River
29 that supplies the essential fatty acids in fish, but
30 Native peoples to the coastal plain that has the
31 nearshore marine system as well, is very important to
32 us. So we must therefore protect the whole of the
33 Arctic Refuge. I would maintain to attempt to get
34 wilderness status for the coastal plain is essential.
35 I've researched on geese as well as muskox and caribou
36 in that area.
37 We need enhanced monitoring to do this
38 and this monitoring should take place in the
39 communities and in some way the Fish and Wildlife
40 Service could help in establishing long-term monitoring
41 by the communities, therefore understanding what's
42 going on with climate change. So the monitoring would
43 be those events important to the people as well as
44 those events important to the ecology and the survival
45 of the animals that are there and the insects and the
46 birds.

3.8.4 Modeling

Comment 136805.023
Sean Parnell, Governor
State of Alaska

When modeling the potential impacts of climate change on fish and wildlife and their uses, the focus should remain on potential impacts within the next 10-20 years, not those speculated beyond this period. There is simply too much uncertainty in the models and associated causal evidence chains to speculate beyond this period. Also, the focus should remain on habitat and not on speculated responses of individual species to projected habitat changes. Furthermore, because of uncertainty associated with causal evidence chains, we do not support the use of .habitat envelope models. to speculate on species response.

Comment 003596.001
Ann Rak

Perhaps we should be thinking about how to capture all the methane that is probably going to be released there due to the global warming that will release it from the permafrost.

3.9 TOPIC: Consultation and Coordination

3.9.1 Cooperating Agencies

Comment 136791.001
Frederick C. Dean

-----Preamble/Intro-----

Additional notes and comments:

-----Comment-----

- I was concerned when I read the MMOU between ADF&G and the FWS. ADF&G #2 is very generally worded and without reference to any standard for measuring departure from “natural species diversity.” • FWS #7 prescribes the necessity of “formal” determination, even in the event of animal control actions. Just what is meant or implied by “formal”? Conflicts between the two agencies’ management philosophies have arisen even within the past twelve or 18 months if my memory is correct.
- It seems that this memo, while not in itself a direct part of the CCP, is in need of renegotiation. The State seems to have come out way ahead in terms of what is demanded of it (see above); and given the recent politicization of the Boards and the Executive branch, the intent of the Constitution is being disregarded.

Given the situation with the MMOU with ADF&G, I am somewhat skeptical of the adequacy of the very general language in Goal 2.4.12 “Fish and Wildlife Population Management. Again, this may be the time to seek a more up-to-date MMOU from one perspective. On the other hand, given State politics at this time perhaps a delay is warranted.

3.9.2 Federal Coordination

Comment 136875.001
Unnamed 25

Federal agencies need to work together better to keep each other aware of important things like when an allotment is for sale. There needs to be better interagency communication.

3.9.3 Local Government Consultation

Comment 136681.001
Unnamed 23

Could use more coordination with NSB planning department to help with enforcement – not in terms of law enforcement but more in terms of land management enforcement

Comment 136725.001
Unnamed 63

Seems like there is room to work together, share information, should be in the plan, how to coordinate with local municipal governments

3.9.4 State Coordination

Comment 137013.004

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

1-10. Coordination with the State of Alaska. The State had representatives on the FWS planning team for the RCCP (Plan). What did these representatives want included in the Plan, and what was the Service's response?

Comment 137013.005

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

The 1982 Service-ADF&G Master Memorandum of Understanding originated under a federal administration notably hostile to ANILCA and conservation. In 2006 the MMOU was renewed, apparently unchanged, by federal and state administrations opposed to ANILCA and conservation in general. Given that the present administration generally supports the missions of the Service and the Refuge System, what changes to the MMOU does the Service consider are necessary to strengthen its hand in dealing with a State bent on implementing intensive management and predator control programs within national wildlife refuges in Alaska?

Comment 136820.012

**Cindy Shogan, Executive Director
Alaska Wilderness League**

While we recognize the importance of FWS maintaining involvement in the State of Alaska's fisheries, game, and federal subsistence boards' processes,[13] we are concerned with the Alaska Board of Game's ("BOG") tendency to institute regulatory changes that are in direct conflict with Refuge System mandates and federal law. The FWS must state in the Final CCP that Refuge purposes and wilderness values are dominant over conflicting goals of the State of Alaska, and that these purposes and values thus preempt Alaska Fish and Game and Board of Game rules when necessary.

Comment 032675.018

**Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas**

Commission fully supports the authority of the State of Alaska through the Board of Fisheries, the Board of Game and the Department of Fish and Game (ADF&G) to manage all fish and wildlife within the state. We have discussed the DCCP and DEIS with ADF &G staff and share their concerns about the potential for overly restrictive management guidelines proposed in the plan to negatively impact the State's ability to fully manage fish and wildlife by eliminating legitimate management tools.

We also share their concern that, as proposed, the management guidelines will unnecessarily restrict proactive management of fish and wildlife and habitat. Such restrictions are inconsistent with the Master Memorandum of Agreement between the Service and ADF&G. The guidelines should be revised in consultation with ADF&G.

Comment 136801.011
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 1-10 We are extremely concerned about the major role the Service has given the State of Alaska, particularly its membership on the core planning team. Given that the State of Alaska has wildlife management policies and practices that differ in a number of fundamental ways, including its intensive management law that favor one species over another, and subsistence management laws that are inconsistent with ANILCA's Title 8 provisions, that the federal government has responsibility for subsistence fisheries management on navigable waters, and that the State is aggressively promoting activities in the Arctic Refuge like opening the Arctic Refuge to oil and gas development which is fundamentally incompatible with the refuge purposes, it was inappropriate for the State of Alaska to have been on the core planning team (see Appendix L-5), nor to be in attendance at the core team's meetings. This team should have been solely U.S. Fish and Wildlife Service staff.

We urge FWS to change the make-up of the core planning team for the final EIS so that the public can have confidence that the plan was not unduly influenced by the presence of State of Alaska officials. We are particularly concerned about the scale of influence the State of Alaska may have had in the development of the CCP with respect to proper management practices and goals for addressing the Arctic Refuge's purpose "to conserve fish and wildlife populations and habitats in their natural diversity" emphasis added (ANILCA Sec. 303 (2)(B)(i)).

Comment 136801.012
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

While we recognize the importance of FWS maintaining involvement in the State of Alaska's fisheries, game, and federal subsistence boards' processes,³² we are concerned with the Alaska Board of Game's ("BOG") tendency to institute regulatory changes that are in direct conflict with Refuge System mandates and federal law. The FWS must state in the Final CCP that Refuge purposes and wilderness values are dominant over conflicting goals of the State of Alaska, and that these purposes and values thus preempt Alaska Fish and Game and Board of Game rules when necessary.

Comment 136801.013
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The State of Alaska's management objectives for wildlife habitats and populations differ greatly from those mandated for the Service and as contained in the refuge purposes. While the DEIS states that "the Service and ADFG recommitted to this formal agreement in 2006," it fails to include the current agreement. This should also be provided in Appendix B so that it is available to the public.

Comment 136801.017
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The explanation of ADNR's authority over management (DEIS p. 1-10) fails to mention the limitations of the lands, water, surface and subsurface resource management within the refuge. For

example, lands for the original Arctic National Wildlife Range were withdrawn prior to Alaska's statehood and the state does not have navigable waters, submerged lands, or any surface or subsurface resources within for that area. Furthermore, there are other limitations to ADNR's management authorities over other aspects of management and for the refuge additions. The way this paragraph is written exaggerates the ADNR management authority over lands within the external boundary of the Arctic National Wildlife Refuge.

Comment 136801.068

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.9 Cooperation and Coordination with others

Sec. 2.4.9.1 Federal, State, and Local Governments

p. 2-45 Please also address our concerns about the MOU with the Alaska Department of Fish and Game in this section, as well, that we provided above, for DEIS p. 2-40, State of Alaska Management Activities. The 1982 MOU is clearly outdated for a variety of reasons, and particularly with respect to application to the Arctic Refuge.

Comment 136801.015

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

Sec. 1.3.3 Coordination with the State of Alaska

-----Comment-----

Given that subsistence is one of the purposes of the Arctic Refuge (ANILCA Sec. 303(2)(B) iii, and that the State of Alaska's management of subsistence is inconsistent with ANILCA, this section needs to better explain the role of Federal subsistence management including for fisheries in navigable waters, the Federal Subsistence Board, and Federal Subsistence Regional Advisory Committees and their context in the complicated system.

Comment 137014.009

**Dan Ritzman, Alaska Program Director
Sierra Club**

While we recognize the importance of FWS maintaining involvement in the State of Alaska's fisheries, game, and federal subsistence boards' processes, [12] we are concerned with the Alaska Board of Game's ("BOG") tendency to institute regulatory changes that are in direct conflict with Refuge System mandates and federal law. The FWS must state in the Final CCP that Refuge purposes and wilderness values are dominant over conflicting goals of the State of Alaska, and that these purposes and values thus preempt Alaska Fish and Game and Board of Game rules when necessary.

Comment 032627.039
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

We recommend that in Appendix B 1.1, the statement, “the USFWS and ADFG share mutual concern for all fish and wildlife resources...” be deleted and replaced with a statement that where the agencies differ, refuge purposes have supremacy and the state should be preempted.

Comment 032628.029
Fran Mauer, Alaska Chapter
Wilderness Watch

We recommend that Appendix B 1.1 the statement: “the USFWS and ADFG share mutual concern for all fish and wildlife resources...” be deleted and replaced with a statement that where the agencies differ, Refuge purposes have supremacy and the state should be preempted.

Comment 000017.006
Wilderness Watch - Full

In Appendix B, 1.1, the statement that the FWS and ADF&G “share a mutual concern for all fish and wildlife resources” is misleading if not untrue. Consider the Unimak Island and other predator control issues.

This should be deleted and replaced with an acknowledgement that where the agencies differ, refuge purposes have supremacy and the state should be preempted.

Comment 136919.004
Lolly Andrews

A serious shortcoming of the plan that needs to be corrected relates to the sections that discuss cooperation with the state of Alaska and/or ADF&G. To be accurate, these sections must recognize that the state interests often conflict with refuge purposes, and in such cases the refuge must prevail and the state or ADF&G must be preempted..

Comment 136923.001
Ann Cohen

The CCP needs to explicitly state that when a conflict with the state's goals and wilderness values, the Refuge purposes must take precedence and prevail. In such cases the FWS must exercise its responsibility (and it is an awesome one) to preempt the state game department and the Board of Game.

The final plan MUST assure that the primary Refuge purpose to conserve natural diversity must NEVER be compromised by decisions to allow predator control or habitat manipulation to cater to the whims of hunters.

Comment 136807.001
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

3 The Alaska Fish and Game department, which one might assume should be interested in managing the wildlife of the refuge, is presently more interested in predator control. At some future date the department may become more interested in true wildlife management and might then become more interested. At the present time, Alternative E would not seem to be a fitting role for them.

Comment 136993.005
Julie RaymondYakoubian

Another area of concern for me, which needs additional clarification before the CCP is finalized, is the role of the Alaska Department of Fish and Game. As you well know, the state's wildlife management goals are often in conflict with maintaining natural and wild animal populations. The final CCP needs to explicitly outline that wilderness values and Refuge purposes will prevail in cases where they conflict with state or Board of Game recommendations. Predator control and habitat manipulation to increase wildlife populations for hunting must be explicitly not allowed - the Refuge purposes of conservation of natural diversity must always prevail. (Related to this - comments in Appendix B 1.1 regarding FWS and ADFG "mutual concern..." should be deleted since this statement is untrue.)

Comment 136941.001
Jon Spar

All planning and execution must assure that the main overriding goal is to preserve the natural abundance of creatures and habitat and by no means will ever be secondary to commercial needs of any type especially hunting for sport.

The plan must state definitely that when in conflict with the AK state F&G Dept goals that wilderness values and the overriding purpose of the refuge take priority and that FWS (Fish & Wildlife Svc.) take strong action to preempt any manipulation of the by F&G to compromise the wilderness character of the refuge.

Comment 032626.007
Greg Warren

V1, 1-10, 3.3 Coordination with the State of Alaska: The discussion on coordination needs to be supplemented to clarify the responsibilities of the Service and to discuss compatibility determination requirements (603 FW 1.10-B). Supplement the discussion by adding, "Alaska Department of Fish and Game (ADFG) regulations would not apply if found to be incompatible with documented refuge goals, objectives, or management plans."

Comment 032626.054
Greg Warren

V2, B-1, B.1.1 Alaska Department of Fish and Game: The discussion on coordination needs to be supplemented to clarify the responsibilities of the Service and requirements for compatibility determinations. As stated in the MMOU, ADFG regulations would not apply if found to be incompatible with documented refuge goals, objectives, or management plans. The Service should consider that the basis for the MMOU in 1982 were the Federal and State laws in effect at that time. The MMOU should have been formally revisited after the Alaska State Legislature amended a statute in 1994 to direct the State Board of Game to implement an intensive management program. I recommend that the MMOU be amended for all of the Alaska Region to address the changed conditions.

The Refuge should implement processes, such as compatibility determinations, to assure that the State's fish and wildlife management mandates are not being applied to the population management programs in the Arctic Refuge.

Comment 018612.001
David Carroll

The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

3.9.5 Tribal Coordination/Govt to Govt

Comment 032620.002
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

the Service failed to recognize the rights and interests of the indigenous people living in and near the Refuge, specifically the shareholders of the Kaktovik Inupiat Corporation and ASRC, who own almost 100,000 subsurface and surface acres in the coastal plain. As mentioned previously, the Service should carefully consider ASRC's comments in the final CCP/EIS.

Comment 136815.001
Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments

The Council submits that cooperation and coordination with the Council and Yukon Flats Tribal Governments in development and drafting of the Draft Revised CCP was limited at best. While the attempt to coordinate with affected Tribal Governments is appreciated, the process was inadequate. The Council's Executive Director and Natural Resources Program were never directly contacted for participation or facilitation in the planning process. These limitations are reflected in the Draft Revised CCP's inadequate level of inclusion of Tribal Government's and tribal member's knowledge of and reliance on their traditional lands which constitute the Refuge.

The Council, as a leader in Tribal Natural Resources management, has successfully negotiated and managed an Annual Funding Agreement (AFA) for selected programs, functions, services, and activities (PFSAs) of the Yukon Flats National Wildlife Refuge. This agreement is the first of its kind in the history of the nation, the first AFA for selected PFSAs of a federal Conservation Unit by a

tribal entity. With this background, the Council should have been provided consideration for inclusion within the Core Planning Team for the Refuge CCP process.

Comment 136815.002

**Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments**

Due to significant historic, cultural and geographic importance to the Council's Tribal Governments the Council submits that the partnership with the Refuge should not be limited to the aforementioned two objectives. The Tribal Governments and their members hold extensive traditional knowledge of this place serving as stewards since time immemorial, and their involvement should be included within the daily management of multiple aspects of the Refuge. Specifically, as outlined in the Draft Revised CCP, the Council and Tribal Governments should be included as partners within the strategy to implement the following Goals and Objectives:

Objective 1.2: Inventory and Monitoring of Wildlife and Habitats;

Objective 1.4: Ecological Review;

Objective 1.6: Fire Management Planning;

Objective 1.7: Wildlife Management Proposals;

Objective 1.8: Water Quality and Quantity;

Objective 1.9: Water Rights;

Objective 1.12: Land Protection Plan;

Objective 1.13: Long-term Ecological Monitoring;

Objective 2.3: Wilderness Stewardship Plan;

Objective 4.1 – 4.5: ALL objectives related to Subsistence Use;

Objective 5.3: Visitor Use Management Plan;

Objective 5.5: Visitor Management Coordination with Neighbors;

Objective 5.7: Visitor Study;

Objective 5.8: Visitor Use Management;

Objective 6.1: Effects of Climate Change;

Objective 6.4: Collaboration on Climate Change;

Objective 7.2: Collaborative Research;

Objective 7.3: International Treaties and Agreements;

Objective 7.4: Baseline Water Quality Study;

Objective 8.1 – 8.9: ALL objectives related to conservation of Cultural Resources;

Objective 9.1 – 9.8: ALL objectives related to enhancing understanding, appreciation, & stewardship of the Refuge.

The Council supports the development of a strong partnership to identify and secure funding to accomplish these objectives, including the development of an AFA with the Arctic National Wildlife Refuge.

Comment 136815.006

**Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments**

The Council submits that they be included in, and meaningful Government to Government consultation be included in, the development of future Step-Down Plans as outlined in Section 6.3 Future Step-Down Plans, most notably: Integrated Resources Management Plan, Comprehensive River Management Plan, Ecological Inventory & Monitoring Plan, Research Plan, Wilderness Stewardship Plan, Visitor Use Management Plan, and Land Protection Plan. The Council requests that thorough outreach is conducted for adequate Tribal input into all Step-Down plans.

Comment 136815.007
Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabascan Tribal Governments

The Council supports the development of a strong partnership with the USFWS for stewardship of the traditional lands and resources within the Arctic National Wildlife Refuge. The Council requests that more effective and regular, outreach, communication, and Tribal Government consultation is conducted regarding the management activities of the Refuge, as well as the implementation and progress of the CCP, with the Council and the Tribal Governments.

Comment 136846.003
Edward Alexander, Second Chief
Gwichyaa Zhee Gwich'in Tribal Government

think what people are saying earlier before this testimony was taken is that this document, as well-written as it is, reflects very little of the people here and it's not the fault of the people here that that's so. People here are very friendly. Look at how many people show up and interested in what you're doing. I mean, if I had a meeting, there wouldn't be 30 people to show up, you know what I mean? They're interested. They're trying to help but this document doesn't reflect that. When we talk about the Arctic Village sheep management area and people like Bob was saying well, what are we -- why don't we have our own ideas in this document.

Comment 032654.001
Jen McCormack, PhD Candidate
University of Arizona, Native Nations Institute

I support Alternative E to protect as much sacred land as possible and recommend U.S. Fish and wildlife consult more with Gwich'in leaders to manage this land and life

Comment 136668.001
Unnamed 11

Someone wondered who the Refuge asked to collaborate and is collaborating with in developing the CCP; they were curious if the tribes and tribal governments (and who within) had been contacted to participate as the Refuge was developing the CCP

Comment 136835.001
Unnamed 18

Will we be meeting with GZGTG [Gwichyaa Zhee Gwich'in Tribal Government] in formal govt-to-govt before November 15? Are other tribes included?

Comment 136877.001
Unnamed 27

The Lacey Act says that tribes and agencies have to work together – why can't you hire someone from Arctic Village to help manage Red Sheep Creek?

Comment 136856.003
Carrie Stevens

I'd also like to make a note on tribal government consultation that was noted earlier that was requested and there wasn't a response. I believe it's Executive Order 13175 that now mandates all entities to enter into tribal consultation so if you're working in the Arctic Village Council office, all of a sudden you got about a hundred requests for tribal consultation from the Department of Justice, the Department of -- every department and so I think that some of these critical issues just got clumped in a pile of tribal consultation paper work that was every single program that affects tribes. So you have to understand you have two people working in the tribal council office and they run every single federal program for their people. So I don't think that -- we need to look at government to government consultation, tribal consultation of how we can work together to make that effective and meaningful because a letter is probably not effective and meaningful.

Comment 032646.001
Unknown Unknown

Currently the Native Village of Venetie Tribal Government-Venetie and Arctic Village has grown to about 3,000 members and their historic dependency on the porcupine herd for food must be considered regarding the federal government's trust responsibility laws with the Native American tribes.

3.10 TOPIC: Cultural and Historical Resources

3.10.1 *Cultural History*

Comment 032620.015

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

Page 4-126: Early North Alaskan History

The discussion of Modern Iñupiat is inadequate. At a minimum, placename maps documenting the extensive Iñupiat cultural geography of land areas that are now within the refuge should be included (see “Subsistence Land Use and Place Names Maps for Kaktovik Alaska” by Pedersen et al. 1985). The lack of acknowledgement of the Iñupiat’s extensive use of the landscape for gathering, harvesting, consuming and trading the area’s natural resources is a theme that runs throughout the document. The CCP should be more sensitive to the traditional Iñupiat use of natural resources.

3.10.2 *Cultural Resources*

Comment 136789.005

**Bob Childers, Executive Director
Gwich'in Steering Committee**

-----Preamble/Intro-----

We are concerned that the plan contemplates a very large increase in the Refuge budget, but a decrease in funding may be more realistic. We believe the plan should identify priority activities that address the most important refuge issues, and also those that could be delayed, in the event of a significant decrease in existing funding. Otherwise, we will not know what you plan to really do.

-----Comment-----

For example, archeological plans and research could be postponed until a qualified Gwich'in professional was available to undertake them. This would delay these costs for some years (except for emergency archeological salvage,) and contribute to the economic viability of Gwich'in. In addition the work would benefit from the researcher having access to tribal knowledge and a wider cultural context that would not be available to a non-Gwich'in researcher. Any funds available for cultural research at this point in time should be considered for granting to Gwich'in efforts at collecting the knowledge of our elders. That is the most urgent need, and will be the basis for understanding many cultural issues in the future.

Comment 136735.001

Unnamed 72

When artifacts or bones become exposed due to erosion or other natural forces
Need to recognize place where people have been forever, not up for grabs even if it is being destroyed
by natural forces. Places still need to be respected.

3.11 TOPIC: Editorial Corrections

3.11.1 Figures and Maps

Comment 137001.002
David VanDenBerg

I believe your map of the Canning River is wrong. If the blue line indicates the active channel, then I believe the map wrongly depicts the lower river's course through the delta. From 2002 (or so) until 2008 (my last time on the Canning), the lower river flowed west, almost into the Staines, not arcing east, as shown. I suspect it does the same today – and if not, will again.

3.11.2 General

Comment 136816.016
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

New Management Guidelines (pages 15 - 17 of Summary of Draft CCP)

In reviewing the Summary, I am doing so because it represents the full CCP. Most of my concerns with the Summary, therefore, extend to the full CCP. It is a little confusing because the Summary is not always consistent with the CCP or it fails to include what I think is important information. I am including my concerns with the Summary (even the few instances where the full CCP clarifies the issue or otherwise satisfies my concern) because when the CCP is adopted, it is the updated Summary that people will be looking at for general reference.

3.11.3 Literature Cited

Comment 136805.122
Sean Parnell, Governor
State of Alaska

Page 4-101, Figure 4-5. The figure references .Caikoski 2008, USFWS. as the source of data. This is not an accurate reference.

3.11.4 Text

Comment 136805.044
Sean Parnell, Governor
State of Alaska

Page 1-28, § 1.8.2 Initiate Public Involvement and Scoping. The last line of this section references Appendix I, but should reference Appendix J.

Comment 136805.096
Sean Parnell, Governor
State of Alaska

Page 2-69, § 2.4.18.7 Other Commercial Uses, last sentence. The cross reference to section 2.4.14.9 appears to be an error and should probably be to section 2.4.14.7, Transportation and Utility Systems.

Comment 136950.001
Peter Gadd

This document suffers from unnecessary length and complexity. It is clear that a 1,200 page document is so difficult for citizens to understand and absorb, that comments will be limited to a select slice of the population. Why is this so lengthy? Much like all legislation these days, it is not possible to read it in its entirety in one sitting (a necessary goal for clear and concise written communication). Lack of clarity and overwhelming the reader with paper are clear intentions of the authors.

3.12 TOPIC: Environmental Consequences

3.12.1 Cumulative Effects: General

Comment 136820.029

Cindy Shogan, Executive Director
Alaska Wilderness League

The cumulative impacts analysis in the CCP DEIS is insufficient to satisfy NEPA's requirements to consider and analyze the cumulative impacts of a project. The DEIS purports to consider the cumulative effects, stating "At the end of each alternative, we disclose the anticipated cumulative effects of the alternative on the biophysical and human environments and to reasonably foreseeable future actions. . . . The anticipated positive or negative effects of the reasonably foreseeable activities are discussed first, followed by a discussion of anticipated cumulative effects of each alternative." DEIS at 5-2.32 However, the discussion of cumulative impacts associated with each alternative with respect to the effects of the alternative and the effects of reasonably foreseeable future actions is lacking. At the end of the discussion of the environmental consequences of each alternative, the DEIS contains a few sentences discussing the impacts of the alternative on the Arctic Refuge and its management, followed by the very cursory statement that "These effects would be cumulative to the effects of climate change, development activities, and management decisions made by other throughout the region." DEIS at 5-20, 5-32, 5-43, 5-55, 5-67, and 5-75. There is no actual discussion or analysis of the impacts of climate change, development activities or management decision in the region on the Arctic Refuge. As the Ninth Circuit explained, [i]n accord with NEPA, the Forest Service must 'consider' cumulative impacts. [] To 'consider' cumulative effects, some quantified or detailed information is required. Without such information, neither the courts nor the public, in reviewing the Forest Service's decisions, can be assured that the Forest Service provided the hard look that it is required to provide. *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d 1372, 1379 (9th Cir. 1998) (internal citation omitted)

To the extent that FWS is relying on Appendix C to the DEIS to provide that analysis, FWS must clearly say so. Additionally, review of Appendix C reveals that the analysis of the planning efforts is incomplete and inadequate. First, as explained below, the planning efforts included in Appendix C fail to include multiple current and reasonably foreseeable future actions. Second, the impacts discussed for each planning effort are cursory, generally consisting of statements that the action is not thought to adversely affect Refuge management. See e.g., DEIS at Appendix C: Other Planning Efforts at C-6. As explained above, this cursory discussion does not satisfy NEPA. See *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d at 1379.

To satisfy NEPA, FWS needs to take a hard look at the cumulative impacts of past, present and reasonably foreseeable future actions on Refuge management, objectives and goals. This requires an analysis and discussion of such impacts in the EIS. See *Lands Council*, 379 F.3d at 745. Without such, the DEIS for the Arctic Refuge CCP is inadequate.

Comment 136820.030

Cindy Shogan, Executive Director
Alaska Wilderness League

We also note that a cumulative impact analysis for the Porcupine Caribou Herd is an international obligation. The International Porcupine Caribou Herd Agreement states that "When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyze potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou."

Comment 136820.031
Cindy Shogan, Executive Director
Alaska Wilderness League

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* Federal Bureau of Ocean Energy Management 2012-2017 OCS Oil and Gas Leasing Program-The Bureau of Ocean Energy Management is currently in the process of developing a new five year leasing program for outer-continental shelf waters. See <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Current-Five-Year-Leasing-Plan.aspx> (last visited October 25, 2011). The Proposed Program includes a lease sale in the Beaufort Sea. See Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program 2012-2017 (Oct 2011). Offering additional federal oil and gas leases in the Beaufort Sea could result in additional exploration and development activities in the area, increasing air and water pollution, industrial facilities, and demand for construction resources (i.e., gravel), among other things. The impacts of the leasing and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 136820.032
Cindy Shogan, Executive Director
Alaska Wilderness League

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* State of Alaska Areawide Oil and Gas Lease Sales-The State of Alaska, Department of Natural Resources recently issued a Notice of Sale for a considerable lease sale for the vast majority of state lands in the Beaufort Sea Areawide, the North Slope Areawide and the North Slope Foothill Areawide areas on December 7, 2011. See <http://dog.dnr.alaska.gov/Leasing/LeaseSales.htm>. The lease sales could result in exploration and development activities in areas adjacent to the Arctic Refuge, increasing air and water pollution, industrial facilities, demand for construction resources (i.e., gravel) and water, among other things. The impacts of the lease sales and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 136820.033
Cindy Shogan, Executive Director
Alaska Wilderness League

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* State of Alaska Board of Game Proposal 130 —This proposal authorizes a brown bear predator control program in Game Management Unit (“GMU”) 26B, which encompasses the State land on the North Slope as well as a portion of the Arctic Refuge. See Game Management Units/Special Management Units, Unit 26 Arctic Slope, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. The stated purpose of the program is to reduce brown bear predation on muskoxen. See Alaska Board of Game, 2011/2012 Proposal Book Arctic, Western, and Interior Regions, and Statewide Regulations, Cycle B Schedule at 174-76, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. As noted above, intensive management is inconsistent with Arctic Refuge purposes and values, and the FWS cannot allow Alaska to conduct such activities on the Refuge. That said, a brown bear predator control program on non-Refuge lands within GUM 26B will impact the population of brown bears within the Refuge and affect FWS’s management of the Refuge to protect the wildlife.

Comment 136801.114
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

This background is provided for a basic overview to consider in the cumulative impacts analysis which addresses reasonably foreseeable projects taking place beyond the Refuge boundaries.

This area may face cumulative impacts from the oil and gas activities that take place on lands and waters beyond the borders of the refuge. The Northern Alaska Environmental Center scoping letter (June 7, 2010) provided information on why oil and gas infrastructure and activities besides being prohibited by law are also incompatible with its purpose. Please include that letter by reference as comment. It also provides additional background on negative oil and gas impacts across the North Slope, including documentation from scientific studies by the National Research Council (2003) and others, long-term impacts to tundra vegetation and disturbance to bears caused by seismic exploration, pervasive spills, and other harm to wildlife and wilderness. Please also see Broken Promises by The Wilderness Society⁵⁸ for further information about the limitations and false promises of directional drilling and the wide range of oil and gas impacts to fish, wildlife, subsistence and wilderness that have taken place on the North Slope, as well as additional sources.⁵⁹

Comment 136801.115
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

1. The CCP EIS Fails to Adequately Consider Cumulative Impacts
The cumulative impacts analysis in the CCP DEIS needs to be improved in order to satisfy NEPA’s requirements to consider and analyze the cumulative impacts of a project. The DEIS purports to consider the cumulative effects, stating “At the end of each alternative, we disclose the anticipated cumulative effects of the alternative on the biophysical and human environments and to reasonably foreseeable future actions. . . . The anticipated positive or negative effects of the reasonably foreseeable activities are discussed first, followed by a discussion of anticipated cumulative effects of each alternative.” DEIS at 5-2.62 However, the discussion of cumulative impacts associated with each alternative with respect to the effects of the alternative and the effects of reasonably foreseeable future actions is lacking. At the end of the discussion of the environmental consequences of each alternative, the DEIS contains a few sentences discussing the impacts of the alternative on the Arctic Refuge and its management, followed by the very cursory statement that “These effects

would be cumulative to the effects of climate change, development activities, and management decisions made by other throughout the region.” DEIS at 5-20, 5-32, 5-43, 5-55, 5-67, and 5-75. There is no actual discussion or analysis of the impacts of climate change, development activities or management decision in the region on the Arctic Refuge. As the Ninth Circuit explained, [i]n accord with NEPA, the Forest Service must ‘consider’ cumulative impacts. [] To ‘consider’ cumulative effects, some quantified or detailed information is required. Without such information, neither the courts nor the public, in reviewing the Forest Service's decisions, can be assured that the Forest Service provided the hard look that it is required to provide.

Neighbors of Cuddy Mountain v. U.S. Forest Serv., 137 F.3d 1372, 1379 (9th Cir. 1998) (internal citation omitted)

To the extent that FWS is relying on Appendix C to the DEIS to provide that analysis, FWS must clearly say so. Additionally, review of Appendix C reveals that the analysis of the planning efforts is incomplete and inadequate. First, as explained below, the planning efforts included in Appendix C fail to include multiple current and reasonably foreseeable future actions. Second, the impacts discussed for each planning effort are cursory, generally consisting of statements that the action is not thought to adversely affect Refuge management. See e.g., DEIS at Appendix C: Other Planning Efforts at C-6. As explained above, this cursory discussion does not satisfy NEPA. See Neighbors of Cuddy Mountain v. U.S. Forest Serv., 137 F.3d at 1379.

To satisfy NEPA, FWS needs to take a hard look at the cumulative impacts of past, present and reasonably foreseeable future actions on Refuge management, objectives and goals. This requires an analysis and discussion of such impacts in the EIS. See Lands Council, 379 F.3d at 745. Without such, the DEIS for the Arctic Refuge CCP is inadequate.

Comment 136801.117

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

The Arctic Refuge Draft EIS CCP fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS’s management of the Arctic Refuge. Among the reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* Federal Bureau of Ocean Energy Management 2012-2017 OCS Oil and Gas Leasing Program-The Bureau of Ocean Energy Management is currently in the process of developing a new five year leasing program for outer-continental shelf waters. See <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Current-Five-Year-Leasing-Plan.aspx> (last visited October 25, 2011). The Proposed Program includes a lease sale in the Beaufort Sea. See Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program 2012-2017 (Oct 2011). Offering additional federal oil and gas leases in the Beaufort Sea could result in additional exploration and development activities in the area, increasing air and water pollution, industrial facilities, and demand for construction resources (i.e., gravel), among other things. The impacts of the leasing and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 136801.118

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

The Arctic Refuge Draft EIS CCP fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS’s management

of the Arctic Refuge. Among the reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* State of Alaska Areawide Oil and Gas Lease Sales-The State of Alaska, Department of Natural Resources recently issued a Notice of Sale for a considerable lease sale for the vast majority of state lands in the Beaufort Sea Areawide, the North Slope Areawide and the North Slope Foothill Areawide areas on December 7, 2011. See <http://dog.dnr.alaska.gov/Leasing/LeaseSales.htm>. The lease sales could result in exploration and development activities in areas adjacent to the Arctic Refuge, increasing air and water pollution, industrial facilities, demand for construction resources (i.e., gravel) and water, among other things. The impacts of the lease sales and the associated activities will impact the management, objectives and goals of the Arctic Refuge

Comment 136801.119

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

The Arctic Refuge Draft EIS CCP fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. Among the reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

* State of Alaska Board of Game Proposal 130 —This proposal authorizes a brown bear predator control program in Game Management Unit (“GMU”) 26B, which encompasses the State land on the North Slope as well as a portion of the Arctic Refuge. See Game Management Units/Special Management Units, Unit 26 Arctic Slope, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. The stated purpose of the program is to reduce brown bear predation on muskoxen. See Alaska Board of Game, 2011/2012 Proposal Book Arctic, Western, and Interior Regions, and Statewide Regulations, Cycle B Schedule at 174-76, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. As noted above, intensive management is inconsistent with Arctic Refuge purposes and values, and the FWS cannot allow Alaska to conduct such activities on the Refuge. That said, a brown bear predator control program on non-Refuge lands within GUM 26B will impact the population of brown bears within the Refuge and affect FWS's management of the Refuge to protect the wildlife.

Comment 137014.025

**Dan Ritzman, Alaska Program Director
Sierra Club**

The cumulative impacts analysis in the CCP DEIS is insufficient to satisfy NEPA's requirements to consider and analyze the cumulative impacts of a project. The DEIS purports to consider the cumulative effects, stating “At the end of each alternative, we disclose the anticipated cumulative effects of the alternative on the biophysical and human environments and to reasonably foreseeable future actions.... The anticipated positive or negative effects of the reasonably foreseeable activities are discussed first, followed by a discussion of anticipated cumulative effects of each alternative.” DEIS at 5-2.[31] However, the discussion of cumulative impacts associated with each alternative with respect to the effects of the alternative and the effects of reasonably foreseeable future actions is lacking. At the end of the discussion of the environmental consequences of each alternative, the DEIS contains a few sentences discussing the impacts of the alternative on the Arctic Refuge and its management, followed by the very cursory statement that “These effects would be cumulative to the effects of climate change, development activities, and management decisions made by other

throughout the region.” DEIS at 5-20, 5-32, 5-43, 5-55, 5-67, and 5-75. There is no actual discussion or analysis of the impacts of climate change, development activities or management decision in the region on the Arctic Refuge. As the Ninth Circuit explained, [i]n accord with NEPA, the Forest Service must ‘consider’ cumulative impacts. [] To ‘consider’ cumulative effects, some quantified or detailed information is required. Without such information, neither the courts nor the public, in reviewing the Forest Service’s decisions, can be assured that the Forest Service provided the hard look that it is required to provide. *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d 1372, 1379 (9th Cir. 1998) (internal citation omitted)

To the extent that FWS is relying on Appendix C to the DEIS to provide that analysis, FWS must clearly say so. Additionally, review of Appendix C reveals that the analysis of the planning efforts is incomplete and inadequate. First, as explained below, the planning efforts included in Appendix C fail to include multiple current and reasonably foreseeable future actions. Second, the impacts discussed for each planning effort are cursory, generally consisting of statements that the action is not thought to adversely affect Refuge management. See e.g., DEIS at Appendix C: Other Planning Efforts at C-6. As explained above, this cursory discussion does not satisfy NEPA. See *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d at 1379.

To satisfy NEPA, FWS needs to take a hard look at the cumulative impacts of past, present and reasonably foreseeable future actions on Refuge management, objectives and goals. This requires an analysis and discussion of such impacts in the EIS. See *Lands Council*, 379 F.3d at 745. Without such, the DEIS for the Arctic Refuge CCP is inadequate.

Comment 137014.027

**Dan Ritzman, Alaska Program Director
Sierra Club**

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS’s management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

Federal Bureau of Ocean Energy Management 2012-2017 OCS Oil and Gas Leasing Program-The Bureau of Ocean Energy Management is currently in the process of developing a new five year leasing program for outer-continental shelf waters. See <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Current-Five-Year-Leasing-Plan.aspx> (last visited October 25, 2011). The Proposed Program includes a lease sale in the Beaufort Sea. See Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program 2012-2017 (Oct 2011). Offering additional federal oil and gas leases in the Beaufort Sea could result in additional exploration and development activities in the area, increasing air and water pollution, industrial facilities, and demand for construction resources (i.e., gravel), among other things. The impacts of the leasing and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 137014.028

**Dan Ritzman, Alaska Program Director
Sierra Club**

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable

future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

State of Alaska Areawide Oil and Gas Lease Sales-The State of Alaska, Department of Natural Resources recently issued a Notice of Sale for a considerable lease sale for the vast majority of state lands in the Beaufort Sea Areawide, the North Slope Areawide and the North Slope Foothill Areawide areas on December 7, 2011. See <http://dog.dnr.alaska.gov/Leasing/LeaseSales.htm>. The lease sales could result in exploration and development activities in areas adjacent to the Arctic Refuge, increasing air and water pollution, industrial facilities, demand for construction resources (i.e., gravel) and water, among other things. The impacts of the lease sales and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 137014.029

**Dan Ritzman, Alaska Program Director
Sierra Club**

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

State of Alaska Board of Game Proposal 130 —This proposal authorizes a brown bear predator control program in Game Management Unit (“GMU”) 26B, which encompasses the State land on the North Slope as well as a portion of the Arctic Refuge. See Game Management Units/Special Management Units, Unit 26 Arctic Slope, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. The stated purpose of the program is to reduce brown bear predation on muskoxen. See Alaska Board of Game, 2011/2012 Proposal Book Arctic, Western, and Interior Regions, and Statewide Regulations, Cycle B Schedule at 174-76, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. As noted above, intensive management is inconsistent with Arctic Refuge purposes and values, and the FWS cannot allow Alaska to conduct such activities on the Refuge. That said, a brown bear predator control program on non-Refuge lands within GUM 26B will impact the population of brown bears within the Refuge and affect FWS's management of the Refuge to protect the wildlife.

Comment 032627.049

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

review of Appendix C reveals that the analysis of the planning efforts is incomplete and inadequate. First, as explained below, the planning efforts included in Appendix C fail to include multiple current and reasonably foreseeable future actions. Second, the impacts discussed for each planning effort are cursory, generally consisting of statements that the action is not thought to adversely affect Refuge management. See e.g., DEIS at Appendix C: Other Planning Efforts at C-6. As explained above, this cursory discussion does not satisfy NEPA. See *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d at 1379.

To satisfy NEPA, FWS needs to take a hard look at the cumulative impacts of past, present and reasonably foreseeable future actions on Refuge management, objectives and goals. This requires an

analysis and discussion of such impacts in the EIS. See *Lands Council*, 379 F.3d at 745. Without such, the DEIS for the Arctic Refuge CCP is inadequate.

Comment 032627.048

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

-----Preamble/Intro-----

The FWS Does Not Adequately Consider the Cumulative Impacts of the Action in the ANILCA Section 810 Evaluation

NEPA requires that agencies disclose the environmental impacts of an action within the Environmental Impact Statement (EIS). 42 U.S.C. § 4332(2)(C)(i), (ii). See also 40 C.F.R. § 1508.25(c). The environmental impacts of an action include the direct, indirect and cumulative impacts. 40 C.F.R. § 1502.16. Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-federal) or person undertakes such other actions.” 40 C.F.R. § 1508.7. To satisfy NEPA’s requirements, the cumulative impacts analysis must be reasonably detailed; as the Ninth Circuit has explained, “[g]eneral statements about ‘possible’ effects and ‘some risk’ do not constitute a ‘hard look’ absent a justification regarding why more definitive information could not be provided.” *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d 1372, 1379-80 (9th Cir. 1998). As the Ninth Circuit stated in *Lands Council v. Powell*, “the general rule under NEPA is that, in assessing cumulative effects, the Environmental Impact Statement must give a sufficiently detailed catalogue of past, present, and future projects, and provide adequate analysis about how these projects, and the differences between the projects, are thought to have impacted the environment.” 379 F.3d 738, 745 (9th Cir. 2004), *rev’d* on other grounds, *Lands Council v. Powell*, 395 F.3d 1019 (9th Cir. 2005).

-----Comment-----

The cumulative impacts analysis in the CCP DEIS is insufficient to satisfy NEPA’s requirements to consider and analyze the cumulative impacts of a project. The DEIS purports to consider the cumulative effects, stating “At the end of each alternative, we disclose the anticipated cumulative effects of the alternative on the biophysical and human environments and to reasonably foreseeable future actions. . . . The anticipated positive or negative effects of the reasonably foreseeable activities are discussed first, followed by a discussion of anticipated cumulative effects of each alternative.” DEIS at 5-2.26 However, the discussion of cumulative impacts associated with each alternative with respect to the effects of the alternative and the effects of reasonably foreseeable future actions is lacking. At the end of the discussion of the environmental consequences of each alternative, the DEIS contains a few sentences discussing the impacts of the alternative on the Arctic Refuge and its management, followed by the very cursory statement that “These effects would be cumulative to the effects of climate change, development activities, and management decisions made by other throughout the region.” DEIS at 5-20, 5-32, 5-43, 5-55, 5-67, and 5-75. There is no actual discussion or analysis of the impacts of climate change, development activities or management decision in the region on the Arctic Refuge. As the Ninth Circuit explained, [i]n accord with NEPA, the Forest Service must ‘consider’ cumulative impacts. [] To ‘consider’ cumulative effects, some quantified or detailed information is required. Without such information, neither the courts nor the public, in reviewing the Forest Service’s decisions, can be assured that the Forest Service provided the hard look that it is required to provide. *Neighbors of Cuddy Mountain v. U.S. Forest Serv.*, 137 F.3d 1372, 1379 (9th Cir. 1998) (internal citation omitted) To the extent that FWS is relying on Appendix C to the DEIS to provide that analysis, FWS must clearly say so.

Comment 032627.051
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

Federal Bureau of Ocean Energy Management 2012-2017 OCS Oil and Gas Leasing Program-The Bureau of Ocean Energy Management is currently in the process of developing a new five year leasing program for outer-continental shelf waters. See <http://www.boem.gov/Oil-and-Gas-Energy-Program/Leasing/Five-Year-Program/Current-Five-Year-Leasing-Plan.aspx> (last visited October 25, 2011). The Proposed Program includes a lease sale in the Beaufort Sea. See Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program 2012-2017 (Oct 2011). Offering additional federal oil and gas leases in the Beaufort Sea could result in additional exploration and development activities in the area, increasing air and water pollution, industrial facilities, and demand for construction resources (i.e., gravel), among other things. The impacts of the leasing and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 032627.052
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

State of Alaska Areawide Oil and Gas Lease Sales-The State of Alaska, Department of Natural Resources recently issued a Notice of Sale for a considerable lease sale for the vast majority of state lands in the Beaufort Sea Areawide, the North Slope Areawide and the North Slope Foothill Areawide areas on December 7, 2011. See <http://dog.dnr.alaska.gov/Leasing/LeaseSales.htm>. The lease sales could result in exploration and development activities in areas adjacent to the Arctic Refuge, increasing air and water pollution, industrial facilities, demand for construction resources (i.e., gravel) and water, among other things. The impacts of the lease sales and the associated activities will impact the management, objectives and goals of the Arctic Refuge.

Comment 032627.053
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

The Arctic Refuge Draft Environmental Impact Statement for the Draft Revised Comprehensive Conservation Plan fails to account for, and consider the impacts of, multiple reasonably foreseeable future actions, the effects of which will likely impact the FWS's management of the Arctic Refuge. The reasonably foreseeable actions not analyzed in the DEIS are:

-----Comment-----

State of Alaska Board of Game Proposal 130 —This proposal authorizes a brown bear predator

control program in Game Management Unit (“GMU”) 26B, which encompasses the State land on the North Slope as well as a portion of the Arctic Refuge. See Game Management Units/Special Management Units, Unit 26 Arctic Slope, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. The stated purpose of the program is to reduce brown bear predation on muskoxen. See Alaska Board of Game, 2011/2012 Proposal Book Arctic, Western, and Interior Regions, and Statewide Regulations, Cycle B Schedule at 174-76, available at: <http://www.adfg.alaska.gov/static/regulations/regprocess/gameboard/pdfs/2011-2012/alaskaboardofgame2012.pdf>. As noted above, intensive management is inconsistent with Arctic Refuge purposes and values, and the FWS cannot allow Alaska to conduct such activities on the Refuge. That said, a brown bear predator control program on non-Refuge lands within GUM 26B will impact the population of brown bears within the Refuge and affect FWS’s management of the Refuge to protect the wildlife.

Comment 136978.003
Wendy Loya

While I encountered no one in the Junjik River Valley in 2009 (until in the vicinity of Arctic Village), only one other party in my travels from the Atigun Gorge to Arctic Village in 2010 and one party when I traveled the Jago River from the Divide to Kaktovik in 2011, I observed many parties traveling into the Kongakut and Marsh Fork/ Canning River areas in pursuit of hunting and recreation during these August travels. I imagine that use of the Refuge is increasing, and thus this may need to be considered in evaluating cumulative effects in the future, particularly where visitor use is concentrated near critical habitat areas.

3.12.2 Effects Common to Alternatives

Comment 032675.017
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

In discussing the environmental effects of the various alternatives, the DCCP contains a statement that is without foundation. On page, 5-14, under the discussion of wilderness, is the following: "By not recommending wilderness designation in the Coastal Plain, the 1002 Area could be opened more easily by Congress to oil and gas." Similar statements are found elsewhere in this section.

Such statements are categorically false and misleading. A decision on whether to authorize oil and gas development of the 1 002 Area by Congress is not bound in any way by a recommendation for wilderness designation of the area. As the DCCP points out numerous times, only Congress can designate wilderness and only Congress can authorize oil and gas leasing within the 1002 Area. This and any similar comments should be removed from the final Revised CCP.

Comment 136801.111
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

As a general comment regarding your analysis, environmental impacts need to be evaluated at the National level, not just as broadly as regionally, due to the Refuge itself providing a unique place in the National Wildlife Refuge System, the lands are owned by all Americans and they have a stake in their protection, and this is our largest and northernmost Arctic unit of the NWR System.

Comment 136801.112
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The Refuge also provides important international benefits, as it is unique in the circumpolar Arctic for its wilderness value and great diversity of intact Arctic ecosystems. The circumpolar vegetation map (CAVM Team 2003) shows that 30% of all wetlands in this region are in Alaska and a significant portion of those are in the arctic coastal plain ecoregion, 57 with those in the Arctic Refuge being the only wetlands on the entire North Slope of the US protected by law from oil and gas development. Other migratory animals use the refuge habitats for key times in their lives, and maintenance of these activities also provides international benefits. Therefore, there could be benefits from Arctic Refuge protection at an international level.

Comment 136805.129
Sean Parnell, Governor
State of Alaska

Page 5-7, § 5.2.1.2 Impacts of the New Guidelines on the Human Environment. The environmental effects analysis should consider the effects of the limitations this draft Plan imposes on fish and wildlife population and habitat management on the Refuge (see general comment on Fish and Wildlife Management). Furthermore, without allowing for active habitat management or predator management, as well as stating that population management will focus on little or no human manipulation, we question the assertion that the new management regime will have a ...long-term, Refuge-wide, positive effect on the availability of subsistence resources and the opportunity for continued subsistence use. and further question whether the revised regional management guidelines in the draft Plan present environmental justice concerns.

To adequately analyze and compare the effects, the Service must consider the nature of the impact. The draft Plan consistently lacks a determination of whether the impact is positive or negative, and whether any action will have a direct or indirect effect on the environment.

Comment 136805.130
Sean Parnell, Governor
State of Alaska

Page 5-11, Mammal Populations and Natural Diversity, second paragraph. The State is unaware of any data that demonstrates or suggests that current levels of sheep harvest from the eastern Brooks Range could change the genetic composition of the sheep population. We are also unaware of any data that demonstrates or suggests this is the case anywhere in Alaska. We recommend the Service provide data to support such a statement or remove it from the Plan.

Comment 136805.132
Sean Parnell, Governor
State of Alaska

Page 5-12, § 5.2.4.2 Effects to the Human Environment, Wilderness Values. The following statement is a grossly over-exaggerated description of the effects of activities occurring off-Refuge lands on refuge resources. The identified impacts are entirely speculative and would, even if they came to exist, be limited in geographic scope as the pipeline corridor is located 63 miles to the west of the refuge boundary.

Oil companies have been planning for a natural gas pipeline in the utility corridor in which the Trans-Alaska Pipeline is located. If natural gas pipeline planning and on-the-ground efforts for its construction continue, effects to recreational opportunities for solitude and natural conditions along western boundary of Refuge could cause moderate to major, long-term, localized, and negative impacts to the visitor experience.

Comment 136805.131
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 5-11, Mammal Populations and Natural Diversity, second paragraph.

-----Comment-----

the Alaska Department of Fish and Game does not administer a .trophy hunt. for sheep anywhere in the Brooks Range, although many hunters consider large, full-curl sheep a .trophy..

Comment 136948.002
Alan Francisco

-----Preamble/Intro-----

I also submit the following comments:

-----Comment-----

Regarding 5.2.4.2, Visitor Services and Recreation Opportunities: Natural gas pipeline construction does not have any positive effect on any part of the Refuge, and recreational opportunities do not need to be mentioned.

Comment 032626.038
Greg Warren

V1, 5-1, 5.1 Environmental Consequences: The section fails to address the likelihood of conflicts between the CCP alternatives and the objectives of state land use plans (e.g., ADFG Hunting Regulations).

Comment 032626.043
Greg Warren

V1, 5-4, 5.2.1 Effects Common to Alternatives: Hunting as allowed by ADFG regulations is likely to be materially interfering with or detracting from the fulfillment of the purposes of the Refuge for all alternatives, including no action. The environmental consequences chapter needs to address the

potential effects of the ADFG regulations and special use permitted activities on the hunted species and ecosystem. These effects may be common to all alternatives. What are the potential direct, indirect, and cumulative effects of the bag limits on the hunted species, other wildlife, and wildlife related visitor use purposes of the Refuge? If the Refuge determines the ADFG's hunting regulations to be in conflict with the Refuge's purposes than State regulations must be preempted. A determination of a substantial effect would allow for a broader range of NEPA alternatives or mitigation that would be addressed in a Supplemental EIS or FEIS. A new alternative would need to be designed to mitigate the potential impacts to an acceptable level. For a programmatic plan such as the CCP, the alternative or mitigation could be increased regulatory mechanisms to assure that the Refuge purposes are realized.

Comment 032626.045
Greg Warren

V1, 5-9, 5.2.4.1 Common Effects of the Alternatives on Resources, Glaciers: Management of areas designated as both Wilderness and Wild Rivers would receive protection under both authorities, so the statement in the DEIS needs to be corrected (16 U.S.C. 1281(b)).

3.12.3 Impact Topics

Comment 136801.113
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

There is a strong benefit to Wilderness designation of the Arctic Refuge Coastal Plain which was not reflected in the analysis for alternatives C or E, due to its special values, uniqueness, protection as a national wildlife refuge, protection from oil and gas development, and from upholding all of its purposes. The Arctic Refuge is unique on the North Slope as the only coastal area closed by law to leasing, exploration, development and production. It is the only place in the nation where both the arctic coastal plain and Arctic foothills ecoregions receive protection in a conservation unit. Therefore, continued protection of its lands by law from oil and gas development, the management actions which further the goals of the national wildlife refuge system, and the national commitment as a Wilderness Study Area and ultimately designated Wilderness protection provides a positive benefit that these lands can continue to provide their benefits to fish, wildlife, people, and their existence value locally, regionally, nationally, and internationally – to the world! While incalculable, these benefits of Wilderness and Wild and Scenic Rivers need to be described in order to provide an accurate assessment of the impacts, including to local economies and communities. Subsistence way of life is an economy and impacts to the traditional subsistence way of life and its culture also need to be considered as a benefit for protecting the lands from oil and gas development if the supposed irretrievable consequences to the economy, etc. are described from the fact that Wilderness designation's restraint keeps the fossil fuel in the ground. There is also a benefit with respect to climate change from this restraint in making a national commitment through Wilderness designation to keep oil and gas in the ground.

The analysis of impacts of Wilderness designation errs in its assessments to science and scientific activities because science certainly can continue, albeit in a way that has the least impact to this valuable wilderness "control" area, because science is one of the purposes per the Wilderness Act: "Except as otherwise provided for in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, education, conservation, and historical use." (The

Wilderness Act, Sec. 4.(b).) We note, however, that ANILCA provided modifications that provide for subsistence in Wilderness.

Comment 136805.133
Sean Parnell, Governor
State of Alaska

Page 5-14 through 5-75, Chapter 5, Effects Analyses. For each of the alternatives, the effects analyses all indicate the presence or absence of a wilderness designation make the 1002 area .more easily opened by Congress to oil and gas. or alternatively .the likelihood of opening the 1002 area to oil and gas exploration would be substantially reduced.. An administrative recommendation has no effect on Congress' authority to designate wilderness or allow oil and gas development in the 1002 Area. These statements are speculative and misleading and need to be deleted.

This same logic is applied to the analyses of wilderness on local economy and commercial uses and there is little to no discussion of the opportunities that would be foreclosed by a wilderness designation, especially in the 1002 Area.

Comment 136948.003
Alan Francisco

-----Preamble/Intro-----

I also submit the following comments:

-----Comment-----

Regarding 5.7.1 Vegetation and Terrestrial Habitats, Kongakut River: Vegetation disturbances can't be positive.

Comment 136948.004
Alan Francisco

-----Preamble/Intro-----

I also submit the following comments:

-----Comment-----

Regarding 5.7.2 Cultural Resources, Wild and Scenic Rivers: Damage to cultural resources or sites can't be positive.

Comment 032626.040
Greg Warren

V1, 5-3, 5.1.3 Impact Topics: The general discussions that are presented around resource categories are valuable, but are too general to describe adequately the effects of the alternatives. I believe that the effects need to be quantified using the best available data. This would include describing the effects of the no action, proposed action, and alternatives on the principle wildlife species: Dall sheep, moose, grizzly bear, caribou, black bear, and wolves. For illustrative purposes, I will use an example of what should be covered in the environmental consequences chapter. Wolves and wolverines are addressed in the affected environment section on page 4-114. This section describes that north of the Brooks Range there are between 20 and 40 wolves present between Canning River and the Canada border. Furthermore, the section describes that little is known about population trends or abundance

of wolverines in Arctic Refuge. Currently, ADFG 2011-2012 hunting regulations for 26C established a ten wolf and one wolverine bag limit for the area for both residents and nonresidents. For the purpose of this example, assume there are 100 recreational hunters that have the opportunity to harvest 10 wolves each or 1,000 wolves—the 100 estimate of hunters was derived from 1977 recreational hunting data. Related, in just one of the several big game guide commercial service areas, the Refuge is currently inviting proposals that describe the authorized number of clients for wolf hunting as six. The Federal subsistence harvest limits are 15 wolves and five wolverine. Extrapolating from the above information, what are the potential direct, indirect, and cumulative effects of hunting on the 20 to 40 wolves and the unknown number of wolverine that inhabit this part of the Refuge? Relying on past harvest data is very limiting, but that may be the best available information. With limited population data, it is critical that the Refuge CCP establish direction and processes to assure that ADFG goals and regulations do not circumvent the goals and objectives of the Refuge.

Comment 032626.041
Greg Warren

-----Preamble/Intro-----
V1, 5-3, 5.1.3 Impact Topics:
-----Comment-----

It is also important to address in this section these questions: Are the ADFG regulations and the Refuge permitting processes consistent with principles of sound fish and wildlife and administration, available science and resources, and consistent with Arctic Refuge purposes? Is hunting as allowed by ADFG regulations and implemented through existing Refuge programs materially interfering with or detracting from the fulfillment of the purposes of the Refuge?

3.12.4 Table 5-1 - Effects by Alternatives

Comment 136805.136
Sean Parnell, Governor
State of Alaska

Page 5-26, Impacts to the Human Environment from Alternative B, Kongakut River, last sentence. The Plan properly acknowledges that impacts from this alternative to the human environment are not possible to ascertain, due to the fact that these impacts will not be known until a step down plan has been completed. We therefore question how the Plan can analyze and assert that the different alternatives will have a positive effect on water quality, terrestrial habitats, bird populations and natural diversity, mammal populations, subsistence, and cultural resources. Management will not change under any of the alternatives until a step-down plan has been completed and current use levels are having a negligible effect on these populations or resources.

3.13 TOPIC: Environmental Justice

3.13.1 Effects of Alternatives

Comment 136789.008

Bob Childers, Executive Director

Gwich'in Steering Committee

The Gwich'in Niintsyaa Resolution addresses Wilderness only for the Coastal Plain of the Arctic Refuge. Other portions of the Refuge have never been considered in these discussions. Please correct at P. 5-93 and elsewhere.

3.14 TOPIC: Fire and Fire Management

3.14.1 General

Comment 136801.074

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.11.2 Fire Management

p. 2-50. Fire Management Plans should also include considerations of climate change as a factor in fire behavior, air quality, habitat qualities and diversity, and effects on local communities and landowners.

Comment 136816.022

John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 16, line item 3 in the table, "Fire Management – Prescribed Fires and Wildland Fire Use," which is shown as "allowed." This is inconsistent with the full CCP, which states [see page 2-77 of the CCP (Table 2.1)] that Fire Management – Prescribed Fires and for Fire Management – Wildland Fire Use are both "may be allowed" for all Wilderness, Wild River, and Minimal Management. The Summary CCP Draft is not consistent with the full CCP draft. I think that the full CCP draft is correct and that this is probably a transcription error going from the full CCP to the Summary. In any event, there should not be a blanket "allowed." There should be language that compels a thoughtful and meaningful analysis and evaluation of all alternatives before this is allowed... and this should apply to all three categories. If these activities are to be allowed in special or emergency circumstances, then there should be strong guiding language accordingly.

3.15 TOPIC: Glaciers

Comment 136804.007

Matt Nolan

The Role of Refuge Glaciers within the Refuge. I felt that the role of glaciers within the Refuge ecosystems was not treated adequately within the CCP, and I advocate for this role to receive status and highlight equal to or exceed that received by permafrost within its text. Specifically, I have attached a peer-reviewed paper that outlines the central role that glaciers may play in ecosystem function in the 1002 area, and I believe that this text should be included in some form within the CCP. Specifically, the only section of glaciers within the CCP, section 4.2.1.8, is awkwardly placed. The interactions of the physical landscape with the living zone, that is how one affects the other, is a primary goal of ecological study and one which the founders of Arctic Refuge were keenly aware of and seeking to ensure would occur here in perpetuity. I believe the interactions of glaciers here with fish, birds, shrubs, and marine food webs is a great example of this sort of study and could be blended in easily with the existing text for everyone's mutual benefit.

3.16 TOPIC: Glossary (Appendix M)

Comment 032627.032

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page M-22: The term untrammled is defined as referring to “the freedom of a landscape from the human intent to permanently intervene, alter, control or manipulate natural conditions or processes.” Use of the word “permanently” is not a requirement of the Wilderness Act and its use is not consistent with the intent of the Wilderness Act. To retain the untrammled condition of designated Wilderness requires foregoing any effort, temporary or permanent to intervene or manipulate the natural processes. The Final CCP should delete the word “permanently” from the description of untrammled because it incorrectly describes a key descriptor for Wilderness.

Comment 032627.033

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page M-25: The definition of wildness is limited and incomplete. Like untrammled, wildness refers to the state of an ecological system characterized by freedom from the human interest to alter, restrain or control ecological processes and thus not subject to management interventions or manipulations. Wildness can persist in environments that have been altered or continue to be influenced by external human factors as long as nature’s autonomy is respected and ecosystems are allowed to adapt to changes and evolve as they will. We recommend that the Final CCP include the above described definition as it better explains the term which is so crucial to the Arctic Refuge, and a large portion of the public’s interest in such a special place.

Comment 032628.023

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Page M-22: The term untrammled is defined as referring to “the freedom of a landscape from the human intent to permanently intervene, alter, control or manipulate natural conditions or processes.” Use of the modifier “permanently” is not consistent with the intent of the Wilderness Act. To retain the untrammled condition of designated Wilderness requires foregoing any effort, temporary or permanent to intervene or manipulate the natural processes. The Final CCP should delete the word “permanently” from the description of untrammled because it incorrectly describes a key descriptor for Wilderness.

Comment 032628.024

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Page M-25: The definition of wildness is limited and incomplete. Like untrammled, wildness refers to the state of an ecological system characterized by freedom from the human interest to alter, restrain or control ecological processes and thus not subject to management interventions or manipulations. Wildness can persist in environments that have been altered or continue to be influenced by external human factors as long as nature’s autonomy is respected and ecosystems are allowed to adapt to changes and evolve as they will. We recommend that the Final CCP include the

above described definition as it better explains the term which is so crucial to the Arctic Refuge, and a large portion of the public's interest in such a special place.

Comment 000017.012
Wilderness Watch - Full

The Glossary (page M-22) incorrectly defines the word “untrammeled,” the key descriptor for Wilderness. As defined in the glossary, untrammeled only refers to “the human intent to permanently intervene, alter, control, or manipulate natural conditions or processes.” The qualifier “permanently” must be deleted because it is not a qualification from the Wilderness Act, and is not consistent with the intent of the Wilderness Act. Maintaining the untrammeled condition of Wilderness requires foregoing any effort, temporary or permanent, to intervene or manipulate natural processes

Comment 136985.007
Susan Morgan

Polly Dyer, now 91, an Alaska traveler and still an active wilderness advocate in Washington State, suggested “untrammeled” to Howard Zahniser when he was looking for just the right word to include in the Wilderness Act. They believed the meaning of “not restricted or hampered or deprived of freedom of expression” of natural processes most clearly defined the meaning they wished to convey.

Although in Alaska native people are allowed to “remain” to accommodate important subsistence lifestyles, revising the definition of wilderness should not be done in this CCP for management purposes. “Permanently” should be deleted in the glossary definition because it is neither in the spirit nor the letter of the Act as penned nor as passed by Congress in 1964.

Comment 032626.048
Greg Warren

The glossary definition of natural diversity is incorrect. Directory 701 FW 1 defines natural diversity as, “the number and relative abundance of indigenous species that would occur without human interference.”

Comment 032626.087
Greg Warren

M. Glossary Definitions: It is essential that the Refuge use definitions as described in law, regulations, Final FR Notices, and policy without adjusting the wording unless there is ample justification for making the change. Following are recommendations on where to locate definitions for the following terms:

- * Biological Diversity – Use the definition from 601 FW 3
- * Biological Integrity – Use the definition from 601 FW 3
- * Ecological Integrity – Add from 602 FW 1
- * Environmental Health - Use the definition from 601 FW 3
- * Historic Condition – Add from 601 FW 3
- * Natural Diversity – Use the definition from 602 FW 1
- * Sound Professional Judgment – Use the definition from 603 FW 2 * Untrammeled – Use the Forest Service definition found in FSM 2320.5: In the context of the Wilderness Act, an untrammeled area

is where human influence does not impede the free play of natural forces or interfere with natural processes in the ecosystem. Howard Zahniser, who inserted the term into the legislation, described untrammeled as, not subject to human controls and manipulations that hamper the free play of natural forces. I believe that the definition in 610 FW 1 does not meet the intent of the Wilderness Act.

* Use the definition from 610 FW 1

* User Capacity – Use the 1982 Interagency Guidelines on the Wild and Scenic Rivers Act to define this term: The quantity and mixture of recreation and other public uses that can be permitted without adverse impact on the resource values of the river area.

* Visual Resource Management—I recommend using the BLM’s description: Visual Resource Management involves inventorying scenic values and establishing management objectives for those values through the resource management planning process, and then evaluating proposed activities to determine whether they conform to management objectives.

* Wild and Scenic River Corridor – Use language from ANILCA that amended the WSR Act *

Wilderness Character – Use the definition from 610 FW 1

3.17 TOPIC: Implementation and Monitoring

Comment 032626.052

Greg Warren

V1, 6-9, 6.6 Monitoring and Evaluation: The draft CCP does not describe monitoring Dall's sheep, moose, grizzly bear, caribou, black bear, and wolf populations. It is important to monitor the health of these populations, especially in light of the ADFG current hunting regulations. Shouldn't populations be closely monitored for the species that are listed in ANILCA for why the area was established (Section 303(B))?

3.18 TOPIC: International Treaty Obligations

Comment 136801.109

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

The caribou information needs to address not only the sensitive calving, but also the sensitive post-calving (nursery) habitats particularly within the Coastal Plain, per the findings of the International Porcupine Caribou Technical Committee report from 1993.

Comment 136801.116

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

We also note that a cumulative impact analysis for the Porcupine Caribou Herd is an international obligation. The International Porcupine Caribou Herd Agreement states that “When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyse potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou.”

Comment 137014.026

**Dan Ritzman, Alaska Program Director
Sierra Club**

We also note that a cumulative impact analysis for the Porcupine Caribou Herd is an international obligation. The International Porcupine Caribou Herd Agreement states that “When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyse potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou.”

Comment 032627.050

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

We also note that a cumulative impact analysis for the Porcupine Caribou Herd is an international obligation. The International Porcupine Caribou Herd Agreement states that “When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyse potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou.”

3.19 TOPIC: Irreversible and Irretrievable Commitments

Comment 136805.017

**Sean Parnell, Governor
State of Alaska**

The CCP also must include a more thorough analysis of the irreversible and irretrievable commitments of resources which are implicated in a wilderness designation.

Comment 136805.134

**Sean Parnell, Governor
State of Alaska**

Page 5-99, § 5.12 Irreversible and Irretrievable Commitment of Resources; § 5.13 Relationship Between Local Short-term Uses and Maintenance and Enhancement of Long-term Productivity; and § 5.14 Unavoidable Adverse Effects.

In the last sentence of each of these sections, it is implied that wilderness designation and revoking of the designation are equally probable actions. This conflicts with the statements of potential effects in each of the alternatives that recommend wilderness designation (B, C, D and E), where it is implied that changes in wilderness designation are .exceedingly rare..

Comment 032626.049

Greg Warren

V1, 5-99, 5.12 Irreversible and Irretrievable Commitment of Resources: The idea that loss of wildlife and habitat and visitor uses opportunities can be retrieved over time is false. If there were a major energy related development in the Arctic, impacts to the wildness of the Refuge would be irreversible and irretrievable.

3.20 TOPIC: Land Status

3.20.1 Effects of Alternatives

Comment 136818.002

Richard Ranger, Senior Policy Advisor

American Petroleum Institute

The Arctic NWR coastal plain contains 92,000 acres of private land owned by the Kaktovik Inupiat Corporation (KIC) of Kaktovik, the only human settlement within Refuge borders. The Arctic Slope Regional Corporation (ASRC), an Alaska Native regional corporation, owns the subsurface mineral estate beneath the KIC lands and ASRC's rights to develop these resources continue in force and effect.

3.20.2 Native Ownership

Comment 032662.009

David McCargo

Fortunately, the Arctic Refuge is fairly clean of Native Allotments that plague most of the other Alaska conservation units. Most of the Allotments applications were fraudulent or dubious at best. The Service needs to examine what it can and cannot to regulate Allotments such as the manner of ingress and egress. Like other intrusions, Allotment impacts will continue to get worse over time.

3.20.3 Navigable waters

Comment 032626.017

Greg Warren

V1, 2-37, 2.4.3 Land Exchanges and Acquisitions: Ownership of riverbeds in the areas added to the Arctic National Wildlife Range has not been adjudicated. I recommend that the CCP set the stage for a collaborative approach of working with the State and all Federal agencies in Alaska to obtain ownership of any State owned navigable riverbeds of the potential Wild and Scenic Rivers.

3.21 TOPIC: Legal and Policy Context (Appendix A)

3.21.1 Legal Guidance (International Treaties)

Comment 136801.009

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 1-9. Para 1. This should list the Wilderness Act of 1964 among the most important laws and the role of the Arctic Refuge within the National Wilderness Preservation System. It should also list the key international treaties including the Migratory Bird Treaty Act, Agreement on the Conservation of Polar Bears, International Porcupine Caribou Herd Agreement, and the Yukon River Salmon Agreement contained in Appendix A, because they are fundamental to the refuge addressing a specific purpose of the Arctic Refuge “to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats.” (ANILCA Sec. 303(2)(B)(ii). This would improve public understanding of the broad legal context the Arctic Refuge, including its international significance for the wildlife as well as people in other countries which who management obligations are shared.

Comment 136801.010

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 1-9. Para 2. This section should explain that the purpose for the original refuge, “to preserve its unique wilderness values” while correctly retained for the original refuge, it also applies to the whole refuge, including the refuge expansion made through the ANILCA additions.

Comment 136805.028

**Sean Parnell, Governor
State of Alaska**

Page 1-9, § 1.3.1 Legal Guidance. This section states that .Each alternative in this document includes a wilderness recommendation.... This statement is inaccurate as Alternatives A and F do not include recommendations.

Comment 136805.029

**Sean Parnell, Governor
State of Alaska**

Page 1-9, § 1.3.1 Legal Guidance, third sentence. ANILCA established the Arctic National Wildlife Refuge and re-designated the Arctic National Wildlife Range as part of the new Refuge. We request these sentences be revised to reflect that ANILCA did not expand the Range, but re-designated it as part of the Refuge. This comment also applies to Page A-1, Section A-1, Legal Guidance.

Comment 136805.030
Sean Parnell, Governor
State of Alaska

Page 1-9, § 1.3.1 Legal Guidance, third paragraph. The State objects to any wilderness reviews of the Refuge because the Service satisfied the wilderness review requirements of ANILCA pertaining to the Refuge and the 1002 area and has no legal authority to conduct them.

Comment 136805.031
Sean Parnell, Governor
State of Alaska

Page 1-9, § 1.3.1 Legal Guidance, fourth para. The Wild and Scenic Rivers Act of 1968 does not provide authority for wild and scenic river reviews in Alaska. Section 1326(b) of ANILCA prohibits any further studies in Alaska for the single purpose of considering the establishment of a conservation system unit. ANILCA § 102(4) defines .conservation system unit. to include wild and scenic rivers. The only legal purpose for conducting a wild and scenic river review is to consider the establishment of a wild and scenic river. The State therefore objects to any wild and scenic river reviews in the Refuge because Section 1326(b) of ANILCA prohibits them.

Comment 136805.138
Sean Parnell, Governor
State of Alaska

Page A-5, § A.1.2.4 ANILCA. This summary of ANILCA needs to include Section 1002, which provides very specific and relevant direction for the Arctic Refuge.

Comment 136805.139
Sean Parnell, Governor
State of Alaska

Page A-5, § A.1.2.4 ANILCA, last sentence of first paragraph; and Page A-6, § A.1.2.5 Wilderness Act of 1964, last sentence. These sentences are misleading, as they lead the reader to believe that section 1317 of ANILCA provides continuing authority for the Service to conduct wilderness reviews on refuge lands in Alaska. Section 1317 requires that refuge lands not designated as wilderness by ANILCA undergo a wilderness review within 5 years of ANILCA's enactment, which was on December 2, 1980. The Service completed this requirement with respect to the 1002 area in the April, 1987 Arctic National Wildlife Refuge, Alaska, Coastal Plain Resource Assessment, Report and Recommendation to the Congress of the United States and Final Legislative Environmental Impact Statement. With respect to the rest of the Refuge, the Service fulfilled the wilderness review requirement of ANILCA section 1317 in the current CCP, dated September 1988. Both of these studies rejected the alternatives that recommended additional wilderness be designated in the Refuge.

3.21.2 Other Laws and Regulations

Comment 000096.001

Deborah Williams

16 The last point is that it is very
17 important to make sure this is Federal land that, where
18 necessary, preemption is implemented and that this
19 should be specified in this plan.

3.21.3 Policy Guidance

Comment 032626.053

Greg Warren

V2, A-10, A-2.4 Compatibility 603 FW: I recommend supplementing this discussion to clarify the relationship between a compatibility determination and NEPA describing that: “A compatibility determination is not an action under NEPA. Deciding to allow a specific use is the action, which would require NEPA compliance.” Consider providing an example of when NEPA would apply such as the issuance of a Commercial Big Game Guide Services permit.

3.22 TOPIC: Mammals

3.22.1 Baseline Conditions: Caribou

Comment 136805.116

Sean Parnell, Governor

State of Alaska

Page 4-91, Porcupine Caribou Herd, second paragraph, last two sentences. The information presented here is inaccurate. The 2010 photo census demonstrated an increase in the number of Porcupine Caribou Herd (PCH) caribou from 123,000 in 2001 to 169,000 in 2010.

Page 4-92, Porcupine Caribou Herd. Figure 4-4 should be updated to reflect the 2010 photo census.

Comment 136805.117

Sean Parnell, Governor

State of Alaska

Page 4-95, Porcupine Caribou Herd, last paragraph. Outdated surveys suggest harvest is likely 4,000 caribou per year; however it is difficult to assert harvest level with any certainty.

Comment 136805.119

Sean Parnell, Governor

State of Alaska

Page 4-95 & 96, Central Arctic Caribou Herd. In the first paragraph, population numbers should reflect the most recent photocensus conducted in 2010. The 2010 photocensus resulted in 70,034 caribou. The year attributed to 68,000 should be 2008, not 2009. The reference to percent of size of caribou herds to each other is confusing and needs clarification.

Comment 136805.118

Sean Parnell, Governor

State of Alaska

-----Preamble/Intro-----

Page 4-95, Porcupine Caribou Herd, last paragraph.

-----Comment-----

the current regulations cited for Canada are no longer valid. The Harvest Management Plan for Yukon is adaptive based on photo census results, or other biological information if a current photo census is not available. The newly implemented regulations for Canada are more liberal based on the current photo census result of 169,000.

Comment 136805.120
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 4-95 & 96, Central Arctic Caribou Herd.

-----Comment-----

In the last paragraph, the statement .Residents of Kaktovik primarily hunt caribou from the Central Arctic Herd. is incorrect. The Plan needs to instead indicate that the herd hunted varies annually depending on herd distribution.

3.22.2 *Baseline Conditions: Other Ungulates*

Comment 32626.032
Greg Warren

V1, 4-119, 4.3.7.4 Mammal-Related Management Issues: This section reads as if the Arctic Refuge was established for the purposes of increasing the abundance of certain game populations for human consumption. This discussion reinforces my belief that wildlife population management is an issue that needs to be addressed in the revised CCP. Establish in the CCP the direction to develop Population Management Plans for all of the principal hunted species.

Comment 136805.121
Sean Parnell, Governor
State of Alaska

Page 4-97, Dall Sheep, second paragraph, last sentence. The draft Plan states that Dall sheep in the Arctic Refuge give birth to lambs every other year, which is inaccurate. Most adult ewes give birth every year.

This comment also applies on page 4-101 where the language is similar.

Comment 136805.123
Sean Parnell, Governor
State of Alaska

Page 4-106, Moose. The paragraph beginning with .In 1995-1996....., states that88% of moose wintering in these drainages moved to Old Crow Flats... and .Many moose moved to Arctic Refuge to winter on the Firth,..... These statements are somewhat misleading because the data comes from a small number of radio-collared animals. The information should be conveyed using the radio-collar data.

Comment 136805.124
Sean Parnell, Governor
State of Alaska

Page 4-107. Figure 4-8. This figure states that moose counts were all from fall surveys; however, since 1994, data has been collected in the spring. It is not possible to directly compare fall and spring

moose survey numbers. In addition, the data collected during 1986—1991 was collected by the Refuge instead of Lenart 2008, as cited.

3.22.3 Baseline Conditions: Polar Bears

Comment 032620.012

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

THE DRAFT CCP/EIS CONTAINS MISSTATEMENTS ABOUT THE EFFECTS OF OIL AND GAS ACTIVITIES

The draft CCP/EIS includes statements about the effects of oil and gas activities, particularly with regard to polar bears, which are not consistent with other decisions in which USFWS has made findings that oil and gas activities have, at best, a negligible effect on the species. As USFWS has recognized in a number of regulatory processes and under the Marine Mammal Protection Act (“MMPA”) and the Endangered Species Act (“ESA”), as well as in subsequent litigation, oil and gas exploration, development and production activities are not a source of mortality and/or serious injury to polar bears, nor a cause or contributing factor to the listing of the polar bear as a threatened species. Despite this continued recognition by USFWS, the draft CCP/EIS contains a number of contradictory statements which must be corrected in the final document.

For example, the draft CCP/EIS states that oil and gas exploration in and near the Beaufort Sea is a major conservation concern for polar bears. See, e.g. Page 4-111. This contradicts conclusions contained in the USFWS’ final rule listing the polar bear as threatened under the ESA.

Oil and gas exploration, development, and production activities do not threaten the [polar bear] species throughout all or a significant portion of its range based on: (1) mitigation measures in place now and likely to be used in the future; (2) historical information on the level of oil and gas development activities occurring within polar bear habitat within the Arctic; (3) the lack of direct quantifiable impacts to polar bear habitat from these activities noted to date in Alaska; (4) the current availability of suitable alternative habitat; and (5) the limited and localized nature of the development activities, or possible events, such as oil spills.

73 Fed. Reg. 28212, 28266 (May 15, 2008). This statement is also inconsistent with the USFWS’ final rule establishing incidental take regulations authorizing the nonlethal, incidental take of small numbers of polar bears (and Pacific walrus) associated with oil and gas activities in the Beaufort Sea and adjacent coast, which concluded that expected takings of polar bears during oil and gas activities will have a “negligible” impact on polar bears.

Based on the best scientific information available, the results of monitoring data from our previous regulations (16 years of monitoring and reporting data), the review of the information generated by the listing of the polar bear as a threatened species and the designation of polar bear critical habitat...the results of our modeling assessments and the status of the population, we find that any incidental take reasonably likely to result from the effects of oil and gas-related exploration, development, and production activities...will have no more than a negligible impact on polar bears... 76 Fed. Reg. 47010, 47041 (August 3, 2011). The draft CCP/EIS also included statements indicating that an oil spill associated with development in ANWR could have “important” effects on the southern Beaufort Sea polar bear population. Once again, this is inconsistent with prior USFWS decisions, namely the incidental take regulations referenced above. There are a number of other regulatory decisions as well as court decisions recognizing that the oil and gas industry’s effects on polar bears arenegligible.²⁸ Since no new or contrary evidence regarding industry’s impacts on polar

bears was presented in the CCP/EIS, any contradictory statements in the draft document should be corrected.

Comment 032620.013

**Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association**

USFWS makes statements in the draft document that climate change is perhaps the “greatest” current conservation concern for polar bears. See, e.g. Page 4-111. USFWS should clarify and refine this statement to remain consistent with prior decisions, including the incidental take regulations for polar bears in the Beaufort Sea and adjacent coast, which have recognized that the impacts of climate change on polar bear habitat – i.e. sea ice – is a primary cause of polar bear populations declines. Id. at 47020 (“Habitat loss due to changes in Arctic sea ice has been identified as the primary cause of the decline in polar bear populations...”).

3.22.4 Baseline Conditions: Other Bears

Comment 136805.125

**Sean Parnell, Governor
State of Alaska**

Page 4-114, Grizzly Bears. At the top of page the Plan states, .An average of 39 grizzly bears were killed per year by general hunters..... We believe many of these bears may have been taken outside the Refuge. This may also be the case with other harvest data provided and needs to be verified.

3.22.5 Baseline Conditions: Other Carnivores

Comment 032644.010

**Wade Willis
Science Now Project**

The state of Alaska currently authorizes the harvest of up to 10 wolves per day for an unlimited number of residents, nonresidents, and nonresident aliens. [see footnote 5]

The estimated wolf population in the refuge is based on limited and often outdated information. In season reporting requirements are not sufficient to identify unsustainable harvest rates during anyone regulatory year.[10]

The current hunter effort occurring in the Arctic Refuge would eliminate the wolf population without any doubts if the hunters exercised their right, and were capable of finding and harvesting, 10 wolves per day.

Comment 136805.126
Sean Parnell, Governor
State of Alaska

Page 4-115, Wolverine, second paragraph. Although abundance and trends in abundance are unknown for wolverine in the Refuge, the second paragraph suggests that wolverines are scarce and rarely observed. State wildlife biologists frequently observe wolverines and wolverine tracks while conducting game surveys.

3.22.6 Effects of Alternatives

Comment 032612.001
Sue Hall

-----Preamble/Intro-----

I was pleased to be able to recommend more wilderness protection for ANWR but have some additional concerns for the already existing wilderness along the Kongakut River. I was last there in June of 2000 with four other people camped near the Whaleback Mtn. landing strip.

Heavy concentrations of wolf scat litter the esker ridges just south of the landing strip. Hiking south past this well marked denning area will almost always elicit wolf howling and a decoy wolf will appear standing in plain view howling to divert your attention to it while the pups scamper into hiding with the other adults. Who knows how long the Kongakut wolves have been using the Whaleback Mtn area to raise their young. It is ideally situated for easy access to sheep, caribou and squirrels. They appear to be tolerant specie and have adapted ways to deal with the invasive specie that arrives every summer in roaring aircraft. But over the course of the days you begin to notice that the wolf chasing a sheep on the hillside above your camp didn't make a kill. And after a long hike you return to camp and find a wolf and a caribou walking towards each other in some kind of age old ritual and you try to slip down behind a rock to watch but they both look up at you with a bothered look and walk away from each other in opposite directions. Then you do begin to feel like an intruder...

-----Comment-----

It is awesome to see wild wolves so close and to share their space temporarily but if you start to multiply all the planes and all people over the years that use that airstrip then I think it begins to border on wildlife harassment. In national parks most denning areas are precluded from camping and aircraft. Perhaps we should show the Kongakut wolves the same obeisance.

Comment 032626.046
Greg Warren

V1, 5-11, 5.2.4.1 Common Effects of the Alternatives on Resource Categories, Mammal Populations and Natural Diversity: The one sentence effects description that states, "Dall's sheep seem to be capable of sustaining harvest levels" does not adequately address Refuge purposes as identified in ANILCA, nor does the "disclosure" meet NEPA requirements. Do all of the alternatives demonstrate that the Refuge is conserving mammal populations (e.g., grizzly bears, Dall's sheep, wolves, and wolverines) and habitats in their natural diversity?* Does the analysis insure the professional integrity, including scientific integrity, of the discussions and analyses in EIS (40 CFR 1502.24)? What are the direct, indirect, and cumulative effects of hunting on mammal populations (40 CFR 1502.16)?

Comment 032626.047
Greg Warren

-----Preamble/Intro-----

V1, 5-11, 5.2.4.1 Common Effects of the Alternatives on Resource Categories, Mammal Populations and Natural Diversity:

-----Comment-----

The environmental consequence disclosure discussions are insufficient and need to be more robust in the FEIS and correlated with the affected environment discussion found in the Species of Special Interest and Concern section, pages 4-88 thru 4-119.

3.22.7 Species of Concern

Comment 032620.014
Kate Williams, Regulatory Affairs Representative
Alaska Oil and Gas Association

Page 4-89, Table 4-8: Terrestrial mammals of Arctic National Wildlife Refuge are of special interest because they are used by humans and are known to be important components of northern ecosystems. This table graphically equates “hunting/trapping” and “viewing” – in the table they are on equal footing. Subsistence use should be given more protection than a pedestrian viewer.

Comment 032626.031
Greg Warren

V1, 4-88 to 4-119, 4.3.7.3 Species of Special Interest and Concern: I recommend that the details of this section be retained or expanded in the EIS. The information provided in this section is important for understanding the consequences of the no action and action alternatives.

3.23 TOPIC: Management Categories

3.23.1 General

Comment 136820.019

Cindy Shogan, Executive Director

Alaska Wilderness League

This plan should not include categories from its “statewide management template” that are not suitable management categories and list activities that are not appropriate Refuge uses in the Arctic Refuge (DEIS at 2-31 to 2-32 and Table 2-1)). Although lands in other Alaskan refuges fall into five categories, only those categories applicable to the Arctic Refuge should be included in this CCP: Minimal, Wilderness, and Wild River. Due to the Arctic Refuge’s Special Values, purposes—particularly its unique wilderness purpose—, and goals, it is inappropriate for this plan to include the Intensive and Moderate Management categories at all. They should not “be available should the plan be amended in the future to include either of these management categories” (DEIS at 2-31) because the categories contain activities that are incompatible with the fundamental purposes of the Arctic Refuge. This contingency for possible plan amendments does not establish clear and predictable policies in this CCP which have been subject to full review, and inclusion of the Moderate and Intensive Categories sets an expectation that incompatible activities may be allowed in the future. These incompatible, harmful activities as listed in Table 2-1 should include public access via highway vehicles, off-road (all-terrain vehicles like air boars and air-cushion vehicles), helicopters, all weather roads, unimproved roads, designated Off-Road Vehicle Routes and Areas for public use and recreation, roadside exhibits and waysides, constructed and maintained airstrips, docks, visitor contact facilities on refuge lands, developed campgrounds, construction of bunkhouses, construction of aircraft hangers, sale of sand and gravel. Therefore, the Intensive and Moderate Management categories should be removed from this CCP, including from Table 2-1.

Comment 136801.055

Pamela Miller, Arctic Program Director

Northern Alaska Environmental Center

p. 2-31. This plan should not include categories from its “statewide management template” that are not suitable management categories or list activities that are not appropriate Refuge uses in the Arctic Refuge (DEIS at 2-31 to 2-32 and Table 2-1)). Although lands in other Alaskan refuges fall into five categories, only those categories applicable to the Arctic Refuge should be included in this CCP: Minimal, Wilderness, and Wild River. Therefore, Sec. 2.3.1 Intensive Management (DEIS p. 2-31) and Sec. 2.3.2 Moderate Management (DEIS p. 2-32) should be removed from the final CCP.

Due to the Arctic Refuge’s Special Values, purposes? particularly its unique wilderness purpose?, and goals, it is inappropriate for this plan to include the Intensive and Moderate Management categories at all. They should not “be available should the plan be amended in the future to include either of these management categories” (DEIS at 2-31) because the categories contain activities that are incompatible with the fundamental purposes of the Arctic Refuge. This contingency for possible plan amendments does not establish clear and predictable policies in this CCP which have been subject to full review, and inclusion of the Moderate and Intensive Categories sets an expectation that incompatible activities may be allowed in the future.

Comment 137014.015
Dan Ritzman, Alaska Program Director
Sierra Club

This plan should not include categories from its “statewide management template” that are not suitable management categories and list activities that are not appropriate Refuge uses in the Arctic Refuge (DEIS at 2-31 to 2-32 and Table 2-1)). Although lands in other Alaskan refuges fall into five categories, only those categories applicable to the Arctic Refuge should be included in this CCP: Minimal, Wilderness, and Wild River. Due to the Arctic Refuge’s Special Values, purposes, particularly its unique wilderness purpose, and goals, it is inappropriate for this plan to include the Intensive and Moderate Management categories at all. They should not “be available should the plan be amended in the future to include either of these management categories” (DEIS at 2-31) because the categories contain activities that are incompatible with the fundamental purposes of the Arctic Refuge. This contingency for possible plan amendments does not establish clear and predictable policies in this CCP which have been subject to full review, and inclusion of the Moderate and Intensive Categories sets an expectation that incompatible activities may be allowed in the future. These incompatible, harmful activities as listed in Table 2-1 should include public access via highway vehicles, off-road (all-terrain vehicles like air boars and air-cushion vehicles), helicopters, all weather roads, unimproved roads, designated Off-Road Vehicle Routes and Areas for public use and recreation, roadside exhibits and waysides, constructed and maintained airstrips, docks, visitor contact facilities on refuge lands, developed campgrounds, construction of bunkhouses, construction of aircraft hangers, sale of sand and gravel. Therefore, the Intensive and Moderate Management categories should be removed from this CCP, including from Table 2-1.

Comment 136805.103
Sean Parnell, Governor
State of Alaska

Page 3-52, Motorized Generators and Water Pumps. If determined necessary for the administration of the area and as a minimum tool to complete the project, the Wilderness Act provides for the use of motorized generators and water pumps. We request this table reflect that intent.

Comment 136948.001
Alan Francisco

-----Preamble/Intro-----

I also submit the following comments:

-----Comment-----

Regarding 2.5, Management Categories Table: Commercial fisheries are not vital to the refuge and should not be permitted.

3.23.2 Wild River

Comment 137013.011
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-35 Wild River Management. “Any portion of a wild river that is in designated wilderness is subject to the provisions of both the Wilderness Act and the Wild and Scenic Rivers Act; in case of conflict between the provisions of these laws, the more restrictive provisions apply.”

Can the Service identify any provision of the Wild and Scenic River Act that is more restrictive than a comparable provision of the Wilderness Act? As noted above, in Table 2-1 the comparison of wilderness management with wild river management indicates that the provisions of the Wilderness Act are more restrictive.

Comment 137013.014
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

4-10 Wild River management of the Wind, Ivishak, and Sheenjek Wild Rivers. The Refuge manages all three under the Wild River Management category. However, the Sheenjek, which is in the Arctic Wilderness, must be managed under the more stringent provisions of the Wilderness Act.

Comment 136805.073
Sean Parnell, Governor
State of Alaska

Page 2-35, § 2.3.5 Wild River Management. Wild and Scenic rivers designated by ANILCA do not have Outstandingly Remarkable Values (ORV) and ORVs were not developed for the existing Wild and Scenic Rivers in the refuge; therefore, we request the first sentence of the final paragraph be amended as follows:

Compatible uses of the Ivishak, Sheenjek, and Wind wild river corridors will be allowed where those activities do not detract from their [outstandingly remarkable] special values.

3.23.3 Wilderness

Comment 137013.010
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-34 Wilderness Management. Exceptions to the general prohibition on permanent structures in wilderness areas "...include historic and cultural resources and, in certain circumstances, administrative structures or cabins that predate ANILCA, cabins that are necessary for trapping activities, and public use cabins necessary for the protection of human health and safety." How many cabins of any kind are in the Arctic Wilderness and where are they located? Where are the commercial hunting and fishing seasonal base camps located? A map of the base camps would be a useful addition to the final Plan and to the Refuge's public information program, as it would give visitors planning a true wilderness experience the option of avoiding the camps.

3.23.4 Minimal

Comment 136805.072
Sean Parnell, Governor
State of Alaska

Page 2-33, § 2.3.3, fifth paragraph. ANILCA Section 1004 applies to the Section 1001 wilderness study area, which did not include the Arctic Refuge coastal plain. We request this paragraph be removed.

3.23.5 Moderate

Comment 032627.045

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

in the DEIS, Chapter 2.4.18.4, Commercial Harvest of Timber and Firewood, inappropriately includes discussion of commercial harvest of timber in a “Moderate” management category, among other management categories. The Moderate management category should not be included here on page 2-68 in the DEIS, or the FEIS, as it does not apply to the refuge. If the Moderate management category is similarly included in other places in the DEIS, we encourage the USFWS to remove it.

3.23.6 Special Management Areas

Comment 136820.021

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The section on Alaska Native Claims Settlement Act Section 22(g) (Sec. 2.3.6.2 DEIS at 2-36), is incomplete regarding the nature of commercial activities that can occur on Arctic Slope Regional Corporation and Kaktovik Inupiat Corporation lands. The facts regarding the prohibition on oil and gas development that applies to these lands should be included.

ASRC’s lands are subject to specific legal restrictions, namely the laws governing the Arctic Refuge and its purposes and the prohibition on oil and gas development. The “Chandler Lake Exchange” (August 9, 1983 Agreement between ASRC and Interior Secretary James Watt) gave subsurface lands for 92,000 acres within the Arctic National Wildlife Refuge to the Arctic Slope Regional Corporation despite the fact that ANCSA prohibited Regional Corporations from making selections in National Wildlife Refuges. However, the exchange agreement states that oil and gas leasing, development and production on these lands is prohibited unless Congress opens them. Additionally, ASRC currently does not have, and never had, a reasonable expectation that it could produce oil and gas from its speculative (restricted title) subsurface interests.

Comment 136801.059

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

ec. 2.3.6.2 Alaska Native Claims Settlement Act Section 22(g) p. 2-36. This section is incomplete regarding the role of the Fish & Wildlife Service to implement ANCSA Sec. 22(g) and the nature of commercial activities that can occur on Arctic Slope Regional Corporation and Kaktovik Inupiat Corporation lands. The facts regarding the prohibition on oil and gas development that applies to these lands should be included.

ASRC’s lands are subject to specific legal restrictions, namely the laws governing the Arctic Refuge and its purposes and the prohibition on oil and gas development. The “Chandler Lake Exchange” (August 9, 1983 Agreement between ASRC and Interior Secretary James Watt) gave subsurface lands for 92,000 acres within the Arctic National Wildlife Refuge to the Arctic Slope Regional Corporation despite the fact that ANCSA prohibited Regional Corporations from making selections in National Wildlife Refuges. However, the exchange agreement states that oil and gas leasing, development and production on these lands is prohibited unless Congress opens them. Additionally,

ASRC currently does not have, and never had, a reasonable expectation that it could produce oil and gas from its speculative (restricted title) subsurface interests.

Comment 137014.017

Dan Ritzman, Alaska Program Director

Sierra Club

The section on Alaska Native Claims Settlement Act Section 22(g) (Sec. 2.3.6.2 DEIS at 2-36), is incomplete regarding the nature of commercial activities that can occur on Arctic Slope Regional Corporation and Kaktovik Inupiat Corporation lands. The facts regarding the prohibition on oil and gas development that applies to these lands should be included.

ASRC's lands are subject to specific legal restrictions, namely the laws governing the Arctic Refuge and its purposes and the prohibition on oil and gas development. The "Chandler Lake Exchange" (August 9, 1983 Agreement between ASRC and Interior Secretary James Watt) gave subsurface lands for 92,000 acres within the Arctic National Wildlife Refuge to the Arctic Slope Regional Corporation despite the fact that ANCSA prohibited Regional Corporations from making selections in National Wildlife Refuges. However, the exchange agreement states that oil and gas leasing, development and production on these lands is prohibited unless Congress opens them. Additionally, ASRC currently does not have, and never had, a reasonable expectation that it could produce oil and gas from its speculative (restricted title) subsurface interests.

3.24. TOPIC: Mineral Resources (non-oil & gas)

3.24.1 Exploration/Development

Comment 136805.097

Sean Parnell, Governor

State of Alaska

Page 2-72, § 2.4.22 Alaska Mineral Resource Assessment Program, first sentence. Section 304(c) of ANILCA does not withdraw refuge lands in Alaska from the operation of mineral leasing laws. Neither does PLO 2214. However, Section 1002 (i) withdraws the coastal plain from the mining and mineral leasing laws.

Comment 032658.001

Dennis Shepard

Strategic metals reviews should be conducted to ascertain whether rare earth metals are present- these rare earth elements have not previously been mined in sufficient quantities to develop those green technologies (such as solar cells fuel cells, and batteries)-

Comment 136910.001

Unknown

Concerned about the potential discovery of gold and mining development. Impacts to local users by recreational and commercial mining claims and activities.

3.25 TOPIC: National Values and Interests

Comment 122522.001

Richard Fischer

to designate its coastal area a wilderness zone. This zone should be closed to all travel except foot travel, dog sled, kayak, canoe, and other small craft with 40 horse power or less single engines and then only on a very limited basis. The Arctic National Wildlife Refuge as a whole should be designated a national Park with travel to the interior limited to small aircraft and a limited number of structures and visitors. Travel in the park needs to be regulated and very limited.

3.26. TOPIC: Natural Areas

3.26.1 Research Natural Areas

Comment 136804.003

Matt Nolan

I would also ask considerations of some complete watersheds be considered Research Natural Areas, that have authority to encourage activities necessary for research but discourage those that do not.

Comment 136804.004

Matt Nolan

Should these areas be considered by Congress for Wilderness designation, I would ask that Refuge staff advocate for two other uncommon requests. I would ask that the McCall Glacier Valley be re-considered by Congress as some sort of official scientific inholding within the existing Wilderness, helping to ensure that this valuable long-term research site is protected against the vagaries of politics and individual personality conflicts. This could be as a new RNA (land swap with an existing RNA?) or a donut hole of minimal management.

Comment 136804.006

Matt Nolan

I would like to see more specific recognition of the McCall Glacier research program in these goals and within the CCP. This project is, perhaps arguably, the most internationally-recognized research program within the Arctic Refuge, and certainly the most intensively studied valley within the Refuge over the past 50 years. Explicit description of the value and findings of this project within the CCP would likely help ensure its continuation and help scientists and managers alike in protecting it. There is no other project like this in Arctic Alaska, let alone the Refuge, and I believe this is worthy of highlight within the CCP.

3.27 TOPIC: NEPA Process

3.27.1 General

Comment 032619.001

Cliff Judkins, Chairman

Alaska Board of Game

The overarching concern that arises in review of the draft is centered on the Service's apparent - indeed stated - predetermined policy to favor one extreme as a general management guideline: "Because the Service intends to manage the Arctic Refuge at the far end of the unaltered spectrum, the Arctic Refuge plan calls for a more hands-off approach to management and allows less manipulation of the environment than other Alaska Refuge CCPs. "This approach offends the defined process for updating the plan, which anticipates that public input as well as compliance with applicable federal laws will reveal the appropriate shape of the document.

Comment 032619.009

Cliff Judkins, Chairman

Alaska Board of Game

we urge the Service step back from its present course driven by a preordained intent that incorrectly restricts or eliminates certain possibilities for refuge management. It is inappropriate and unfair to the public for this one-sided approach to cripple the planning process and limit the range of options available for development of the alternatives.

Comment 136677.001

unnamed 1

Problem in NEPA process – potentially cooperative parties may not have the resources (e.g. tribe)

Comment 032622.006

Frank & Jennifer Keim

The record of comments taken during the 2010 scoping stage of the CCP indicates I was not included as a supporter of further Wilderness designation on the Arctic Refuge. This lack of veracity on the part of some within the USFWS concerns me greatly. Please read my appended Scoping Comments carefully to see that I do indeed favor the designation of the greatest amount of Wilderness possible and that the largest number of rivers possible in the Refuge be set aside as Wild and Scenic Rivers.

Comment 032651.007

Mark Lindsey

The one-sided approach presently taken in the draft CCP is an invitation to litigation, and while there is no certain course to preventing a lawsuit, it makes little sense to adopt a heading that invites one when better alternatives exist. There are several parties interested in the development of the 1002 Area with the resources and motivation to challenge the legality of the CCP on the basis of a number of issues, including some of the specific comments I have made here. The Service has the opportunity to change direction before finalizing the CCP by adopting the approach taken in the

1988 CCP. There are huge benefits to this approach, including benefits to the Service. Do you really want to spend untold work time defending your work in court, or do you want to publish a CCP that finds general acceptance among the various interested parties, while preserving the land and its resources? Wouldn't you prefer to devote your time to land management, and not to litigation? In addition to requiring enormous amounts of your time and attention, litigation will also further erode the effectiveness of government, reduce public confidence in your process and be expensive and time consuming. You have the opportunity to greatly reduce the likelihood of litigation with no adverse consequences to the land you manage. Please consider revising the draft CCP accordingly.

Comment 032626.022
Greg Warren

V1, 3-1, 3 Proposed Action: I could not identify the Proposed Action (40 CFR 1502.14).

3.27.2 Decisionmaking

Comment 136742.001
Unnamed 8

Recommendations should recognize importance of Inupiat people on the land

3.27.3 Scoping

Comment 136801.104
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 3-1. The plan should report that a strong majority of the public comments submitted during the scoping process supported more Wilderness to be designated in the Refuge, and supported recommended Wilderness for the Coastal Plain. The Summary of Comments here and in the Scoping Report in Appendix J presented the comments as if there was not overwhelming public support for more Wilderness in the Refuge, and that it was particularly needed for the Coastal Plain.

Comment 136801.105
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The "Representative Comments" did not represent all the concerns and justification that the public provided for why more Wilderness is needed in the Arctic Refuge nor the full range of wilderness values; see the Northern Alaska Environmental Center and Alaska Wilderness League et al. scoping letters dated June 7, 2011.

We are concerned that the "he said, she said" type portrayal does not reflect that actual nature of most public comment. Representative" The final EIS should correct this misrepresentation and provide additional eloquent statements from the public in support of Wilderness and describing the unique range of wilderness values the Arctic Refuge provides.

Comment 136801.121

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

The analysis of public scoping comments failed to adequately analyze key refuge Resources that are a fundamental message of the majority of letters and hearing testimonies. Resource Codes should have also included Rivers, Water Quality, Subsistence, International Treaty and Agreements, Critical Habitats / Endangered Species Act, Wilderness and wilderness values including Solitude, Natural Quiet, Intact Landscapes, Natural Ecological System. For Action codes, there should not have been a category, Multiple Use Emphasis, as it is not appropriate for National Wildlife Refuge System or Arctic Refuge management. Subsistence should also have been included as a Tribal Activity, and Environmental Justice added to the Action Codes.

**Comment 136919.001
Lolly Andrews**

The scoping comments were poorly summarized and did not represent what we said. I hope this process is better.

3.27.4 DEIS Comment Period

**Comment 032635.002
June McAtee, VP, Land & Shareholder Services
Calista Corporation**

Since Alaskans are most affected by the CCP recommendation, we hope the USFWS gives the greatest weight to views of Alaskans and our past record of support to keep the "1002 area" accessible to future development. Since 1980, Alaska's people and state government have been consistent on ANWR, each and every standing state legislature, both Mayors' of North Slope Borough and Kaktovik Village, and Alaska's members' of Congress have all supported development in the "1002 area," and, all have been consistently against increasing wilderness land in ANWR.

**Comment 009520.001
Scott Eickholt
Local 942 Laborers**

When I first tried to figure out what the plan was, I could only find an abbreviated version or summaries, you know, kind of in a quick reference. I felt a bit confused, I guess. So just critiquing, you know, as somebody who was just trying to find information, it wasn't -- didn't seem like it was readily available as a plan in whole. When I clicked the hyperlink to view the whole draft, it didn't show me the full draft; it just kind of showed me what the outline of the full draft was. So maybe there's a link that I didn't see or catch, but it didn't seem like it was easily found, at least on my part.

Comment 136801.106

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

We provide information about the deficiencies in the analysis of scoping public comments in the section on Appendix D. We urge that the Draft CCP DEIS the entire public hearing record and all substantive and unique public comments be provided to the public as a published Appendix. This will be not only a valuable informative document but also provides information that may be compared and contrasted 15 years from now. It was very valuable to our organization to be able to read past comments on the CCP, but only selected ones from 1988 had been published in the hearing record; we wished there were more of the statements which had been written by the public included. Furthermore, the Response to Comments in the Final EIS should include the original comment letter (shrunk 4 to a page is acceptable) with lines in the margins showing the number for the Service's Response as it links to the letter. This standard practice provides the author of comments to assess whether their concerns were adequately responded to as well as for others to understand the context of the comment as well as the response. This is a much better practice than extracting only disembodied comments.

**Comment 136801.107
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

We urge that the Draft CCP DEIS the entire public hearing record and all substantive and unique public comments be provided to the public as a published Appendix. This will be not only a valuable informative document but also provides information that may be compared and contrasted 15 years from now. It was very valuable to our organization to be able to read past comments on the CCP, but only selected ones from 1988 had been published in the hearing record; we wished there were more of the statements which had been written by the public included.

**Comment 136801.108
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

The author should be attributed to all comments quoted in the CCP. For example, the "Representative Comments" in the EIS are unattributed and should be identified as to their source with name and affiliation. For one thing, if the public quotes the quote in the future, they should be able to provide the source name.

**Comment 136894.001
Unnamed 42**

You/we need to get the word out about the CCP, best going from house to house

**Comment 032650.001
Scott Eickholt**

I would like to first comment about the "plan". When I first tried to figure out what the "plan" was, I could only find abbreviated versions and summaries. I feel as a resident of this great State, a bit confused. Confused, because there wasn't better information available or more comprehensive

summaries given to show what the "plan" really is. I noticed two (2) very hefty volumes in the room opposite this testimony room. It would be nice if that info were easily available online, or it is that a better reference be made to its availability. When I clicked the hyperlink to view the full draft it certainly didn't show me the full draft, it only showed the outline of the full draft.

Comment 136912.002

Edward Sam

-----Preamble/Intro-----

Edward Sam

-----Comment-----

Said he wants a copy of the CCP meeting minutes to come back to the community.

3.27.5 Hearings and Comment Analysis

Comment 136873.001

Unnamed 23

You should pay someone to do household surveys to find out what they would like (for the CCP)

Comment 136699.001

Unnamed 3

People who know ANWR (local people) – their concerns should be treated differently

Comment 136721.001

Unnamed 5

USFWS listens to people outside the village concerning Wilderness, more so than the people living in the village

Comment 136743.001

Unnamed 9

Need to better clarify the slide that says “No wilderness designation” It’s misleading because USFWS is recommending wilderness designation (if the alternative has it) and that recommendation will be viewed and will be very important and carries a lot of weight. The language used in the slide diminishes the importance of people needing to express their views. Next slide also needs better clarification.

Comment 136770.001

Unnamed 9

We need a CCP workshop for people who translate so they can come to meetings and understand more. Get one person from each village.

Comment 136771.001
Mildred Allen

We need a workshop for the CCP; some people need to be trained.

Comment 136746.001
Bruce Inglangasak

Bruce Inglangasak said that three years ago the Refuge came to Kaktovik for a meeting and people in the village brought up their concerns. Then the Refuge sent a followup letter to everybody, but the letter didn't recognize all the concerns that were brought up in the meeting. Bruce also said that some of the concerns that were brought up during this CCP meeting had been brought up in that previous meeting.

Comment 032645.001
Unknown Unknown

in future when you take testimony maybe you would support back and forth between people for and against a certain issue.

Comment 032626.006
Greg Warren

V1, 1-29, 1.8.5 Prepare Draft Plan and Environmental Impact Statement: I was disappointed that the public meetings for the draft CCP and DEIS were held only in Alaska. I believe that two or three meetings in the lower 48 states were needed in order to "make diligent efforts to involve the public in preparing and implementing...NEPA procedures" (40 CFR 1506.6(a)).

Comment 136826.004
Raelene Gold

I wish you would have held one hearing on the west coast in Seattle or Portland, given the long ties and interest here in Alaskan issues.

Comment 014754.001
Tina Henize

recently a biologist at another National Wildlife Refuge said, in public, concerning another wildlife issue, that thousands of emails and letters generated and transmitted by non-profits around the country meant nothing to USFWS and local Refuges' management plans, that only letters and input from 'reputable' and credentialed individuals were considered as valid. This was extremely disturbing to me and showed a total disregard and disrespect of the contributions by individuals and the environmental non-profits toward the agency's consideration of actions necessary to uphold the basic mission of USFWS: protecting wildlife and their habitats.

3.27.6 Violations

Comment 000098.001

Wade Willis

Science Now Project

6 The consumptive take by the commercial
7 hunting industry is an ongoing activity. It cannot be
8 exempt from NEPA review based on a 23-year-old NEPA
9 process. And it certainly can't be exempt from NEPA
10 review for the current issues that are facing the
11 resources of the Refuge. You have an obligation to
12 bring the most significant issue in the Refuge at this
13 time to the surface and make it a formal part of an
14 analysis of this draft CCP.

15

16 Currently the consumptive take of
17 wildlife by the commercial hunting industry is the only
18 issue in the Refuge that you have, as a manager of the
19 Refuge, had to restrict citizen access to the Refuge.
20 That's how significant it is. So you've already
21 admitted that the current issue is so dramatic that you
22 are agreeing that there is significant impact occurring
23 in the Refuge. You've already admitted that. Yet you
24 turn around and you say in the draft CCP that you do
25 not want to address that now, you want to do it
26 sometime in the future and you're not even going to
27 elevate it to your number one priority.

28

29 I'll remind you that in 1988 you said
30 the same thing and you made it your number one priority
31 in 1988. Guess what. The minute the ink was signed on
32 the CCP that priority never was even addressed. It
33 never came to fruition. We, as the public, deserve the
34 right to be involved in this issue, okay. You're
35 mandated by Congress to bring this activity to NEPA
36 compliance.

Comment 136805.018

Sean Parnell, Governor

State of Alaska

The Service has inappropriately limited the scope of the draft Plan by identifying wilderness and wild and scenic rivers as the only two major management issues within the scope of the draft Plan. Additionally, nearly all other significant management issues have been deferred to step-down plans, such as the Visitor Use Management Plan and the Wilderness Stewardship Plan. Although the draft Plan identifies Kongakut River management as a major management issue, the proposed alternatives still defer most, if not all, management decisions to the to-be-developed Visitor Use Management Plan. The inappropriately narrow scope, and deferral of significant management issues to step-down plans, inappropriately skews and limits the impacts analysis in the draft Plan. As a result, the impacts analysis consists mainly of characterizations of an impact as .positive. or .negative., but lacks explanation as to the nature and extent of the impact. Limited rationale is

provided. Additionally, the deferral of most management issues to step-down plans leaves only wilderness and wild and scenic river reviews as the primary purpose of the draft Plan. This violates section 1326(b) of ANILCA, and indicates pre-decisional intent that runs afoul of NEPA.

Comment 032651.002

Mark Lindsey

-----Preamble/Intro-----

Issue: In preparing the draft CCP for the Arctic National Wildlife Refuge (“ANWR”), is the USFW Service (the “Service”) correct in deciding to exclude meaningful consideration of the oil and gas development potential of the 1002 Area?

-----Comment-----

the Service’s narrow and incomplete construction of “purpose and need” drastically limits the scope of the CCP and is in direct contravention of the requirement at 40 CFR 1502.14 that the EIS “should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.” The draft CCP fails to sharply define the issues relevant to wilderness designation of the 1002 Area. As written, it obscures them.

3.28 TOPIC: Oil and Gas

3.28.1 Occurrences and Potential

Comment 136801.110

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 4-35. Oil and Gas Occurances and Potential.

This section overstates the potential and fails to provide the context that the Arctic Refuge is the only lands on the North Slope off limits to law to oil and gas exploration, development and production and there are other existing resources, particularly on state lands.

Comment 136805.114

**Sean Parnell, Governor
State of Alaska**

Page 4-35, § 4.2.7 Oil and Gas Occurrences and Potential, third sentence. The phrase .permanently off-limits to oil and gas exploration. should be modified in favor of language that more clearly describes the limitations on oil and gas exploration, development, and production and the opportunities for oil and gas studies, surficial geology studies, subsurface core sampling, seismic surveys, and other geophysical activities.

Comment 136805.115

**Sean Parnell, Governor
State of Alaska**

Page 4-35, § 4.2.7 Oil and Gas Occurrences and Potential. We request the last sentence be revised to read:

Their accuracy can only be determined by systematic exploration of the subsurface[in other words, by drilling test wells.] Acquiring reliable 3-D seismic data would dramatically increase the likelihood of exploration success, but actual oil and gas discoveries can only be made by drilling test wells.

3.29. TOPIC: Other Planning Efforts

3.29.1 General

Comment 032671.001

**Olga Dominguez, Assistance Administrator, Office of Strategic Inf.
National Aeronautics and Space Administration**

After reviewing the Draft CCP/EIS, however, we have identified a substantial concern regarding several of the Alternatives presented in the document. This concern is focused on the potential for USFWS to recommend additional areas of Arctic NWR for Wilderness designation. While we recognize that Wilderness designation can only be effected by Congressional action, we feel that such a recommendation would place these lands that much closer to the ultimate disposition, which if acted upon, would have long-lasting, adverse effects on our ability to launch research rockets at PFRR.

As stipulated in previously issued Special Use pennits for Arctic NWR, we are prohibited from conducting missions that would have a planned impact location within the Mollie Beattie Wilderness Area. We understand and respect the purpose of that requirement, and will continue to do so into the future. To that end, we surmise that the designation of additional Wilderness Areas would effectively preclude our ability to conduct future scientific research missions that have historically been undertaken safely and with minimal environmental effects.

While any additional Wilderness designation of lands within the PFRR flight corridor could theoretically limit future launch opportunities, of greatest concern to us are (in order of priority) Alternatives E, D, and B, as they include designation of the Brooks Range Wilderness Study Area (WSA). Although we fly different rocket configurations at PFRR, some of which do not overfly or land in the Arctic NWR, the program includes a significant number of higher-performance vehicles, which are being used more frequently due to researchers' requirements to fly payloads to higher altitudes with extended flight durations.

Some of these vehicles carry payloads hundreds of kilometers above earth and accordingly have stages that land much further downrange. Generally, these areas within the Arctic NWR are approximately 400 kilometers downrange in the Brooks Range WSA, just east of the Wind River. The safety of public life and property are NASA's top priority in conducting its missions. Therefore, the rocket stages are intentionally planned to land in this area to protect the Native Villages and the Trans-Alaska Pipeline System. An analysis of the 42 missions conducted from PFRR over the past ten years indicates that 19 missions had at least one stage that landed in the Brooks Range WSA. Had this area been designated as Wilderness, this would have precluded nearly half of our total missions from being conducted. Looking forward, we expect that potential impacts to NASA's sounding rocket program would be even greater given that we expect more of our flight manifests to contain the longer-range rockets.

To summarize our concern, designation of the Brooks Range WSA would have significant, deleterious effects on NASA's high latitude sounding rocket program. Although no planned impacts have occurred within the Porcupine Plateau WSA (Alternatives D and E) over the past ten years, the potential exists for its designation as Wilderness which would then preclude our ability fly certain moderate range rockets. Designation of the Coastal Plain WSA (Alternative C) is not expected to have any adverse effects on our operations.

We understand that a USFWS recommendation for Wilderness designation does not guarantee that such a designation for an area would be approved by Congress, and until any Congressional action takes place, the land management would likely remain in its current configuration (i.e., the minimal

management category). However, we do note that the overarching assumption in the Draft CCPIEIS for assessing and comparing potential impacts of the Alternatives is that the subject WSAs are in fact "hypothetically designated." Accordingly, we request that USFWS assess and include the potential effects of each alternative on the ability of NASA and UAF to continue to conduct their respective missions at PFRR. Launch operations at PFRR provide an influx of economic stimulation at a time when tourism is generally limited in the Fairbanks area. More critically, if the scientific benefits were to be lost from being unable to conduct operations at PFRR, this would have devastating long reaching implications on our nation's ability to study and understand Geospace at high latitudes, including its upper atmosphere, and its interaction with the sun.

Of particular note is Arctic NWR's Goal 6, Objective 6.4, which clearly states the Refuge's commitment to collaborating with other organizations to assess potential effects of climate change on arctic and subarctic environments. Sounding rockets launched from PFRR offer a unique opportunity for conducting studies of the arctic region and complementing the research conducted by partner agencies that may rely more heavily on satellite-based observations or "boots on the ground" fieldwork. In particular, sounding rockets are especially useful for measuring aerosols, winds, and nitrous oxide in the high latitude mesosphere and lower ionosphere, as well as for studying the auroral borealis and its unknown interaction with the upper atmosphere. Pursuing an alternative in the CCP/EIS that could preclude such future research appears to us to be in direct contradiction to fulfilling this stated goal and objective.

We recognize that the National Environmental Policy Act is not intended to be a "voting" process by which an alternative's popularity is the sole reason for its selection. Rather an EIS is intended to provide sound information that in turn will facilitate informed decisions. As such, we feel that consideration of the dire impact of the proposed Wilderness designations to NASA's scientific research rocket program must be included in the Final CCP/EIS such that the USFWS decision maker, as well as the reviewing public, are fully aware of each alternative's consequences. We would be happy to provide further data or analysis to clarify these points and assist you in this effort.

Comment 136805.140
Sean Parnell, Governor
State of Alaska

Page C-1, § C.2.2 Denali-Alaska Gas Pipeline Project. This project has been discontinued.

Comment 136805.141
Sean Parnell, Governor
State of Alaska

Page C-2, § C.2.3 Alaska Pipeline Project. Remove reference to Denali-Alaska Pipeline Project.

Comment 136805.142
Sean Parnell, Governor
State of Alaska

Page C-2, § C.2.4 Point Thomson Project EIS. The discussion of the Pt. Thomson project is misleading, not objective, and prejudicial. Most problematic is that the discussion of the project in the draft Plan is based on an internal review draft of the Pt. Thomson DEIS – the DEIS has not yet been released for public review. The identified impacts are entirely speculative and would, even if they came to exist, be limited in geographic scope. It is inappropriate to assume that facilities located

entirely on State land, and completely outside of the Refuge (2 and 5 miles from the Refuge boundary, and 5 and 8 miles from the Canning River) will compromise scenic values and feelings of solitude.. Furthermore, the Canning River has not been designated a wild river and it is inappropriate to leverage WSRA management requirements for an undesignated river into proposed management restrictions for land outside the Refuge.

3.30 TOPIC: Purpose and Need

Comment 136805.025

**Sean Parnell, Governor
State of Alaska**

Page 1-2, first bullet. The State of Alaska and Service both have trust responsibilities regarding fish and wildlife. Additionally, the State and the Service work together to better understand how fish and wildlife utilize lands across Alaska, including the Refuge. We offer the following clarification for your consideration and request that the document be reviewed to correct references to ""Refuge species,"" ""Refuge fish,"" or ""Refuge wildlife"" wherever these statements appear.

New information about [Refuge] fish, wildlife, and habitats is available[. Refuge staff have] as more has been learned [more] about the status of wildlife populations and how these populations use the Refuge[’s lands and resources].

Comment 136805.026

**Sean Parnell, Governor
State of Alaska**

Page 1-2, third bullet. While we recognize that potential effects to fish, wildlife, and their habitats may come from both within and outside refuge boundaries, it is important the Service maintain existing direction regarding off refuge impacts in the draft Plan, which is consistent with Section 103(c) of ANILCA.

What impact will the comprehensive conservation plan have on impacts from developments on adjacent lands?

This is not a significant issue for the plan. The plan cannot address this question because the Service has no authority to regulate the use of lands outside the refuge or the activities that occur on those lands. In all of the alternatives, however, the Service will work with adjacent landowners to minimize the potential for impacts from their activities and developments. If refuge resources are adversely affected by off-refuge development, the Service would have the same remedies under state and federal law that any landowner would have. The Service would cooperate with the appropriate agency(ies) to resolve the problem. The Service will rely on the U.S. Environmental Protection Agency, State of Alaska Department of Environmental Conservation, and other appropriate local, state and federal agencies to enforce compliance with environmental laws and pollution control standards. (Emphasis added, taken from page 39, Current Arctic CCP)

This comment also applies to Page 2-3, Objective 1.5, which states .the Refuge will identify the most important stressors affecting Refuge species and/or ecosystems and will begin developing strategies to evaluate and manage them... such as human developments near the Refuge or along migratory pathways.. See also page 2-49, 2.4.10.4 Visual Resource Management.

Comment 032626.005

Greg Warren

V1, 1-2, 1.1 Purpose and Need for Action: The purpose should describe the desired outcomes of having a CCP. I recommend supplementing the discussion to describe that the desired outcome of the planning process is to ensure that the Refuge is managed to achieve the purposes for which the Arctic Refuge, Wilderness, and Wild Rivers were established, and to identify potential additions to the Wilderness Preservation System and Wild and Scenic Rivers System (602 FW 1.5).

3.31 TOPIC: Recreation and Visitor Use

3.31.1 General

Comment 136820.017

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The Service has provided strong rationale in Sec. 1.4.1.3 Recreation Purpose, see DEIS at 1-17, that the Arctic Refuge’s wilderness purpose “was intended to offer a special kind of recreation, an authentic wildlands experience of a type increasingly hard to find elsewhere.” We support the policy to encourage self-reliance and preservation of opportunities for adventure, discovery, and the experience of solitude and isolation. The Final CCP should strengthen this part of the Management Guidelines (DEIS 2-63 to 2-64) by referencing the Special Values of the Arctic Refuge as a justification for this important approach to recreation and public uses in the Refuge.

Comment 136832.001

Unnamed 15

s there a way to limit the number of people who go to Arctic Refuge? They leave trash and scare the sheep away.

Comment 136768.001

Unnamed 7

-----Preamble/Intro-----

Meeting Notes Draft CCP Meeting in Venetie

-----Comment-----

How can we get the sport hunters out of this area?

Comment 032637.005

Peter Fontaine

emphasis needs to be placed on a leave no trace, no impact ethic within the Refuge, and education toward the importance of the Refuge as a unique, whole, undisturbed world. It must not be promoted as a recreational Mecca, and USFWS should administer it as non-intrusively as possible.

Comment 136850.001

Darlene Herbert

I live in Fairbanks and I see so much wanton waste. When I go to the airport to pick up somebody from the village, I see horns and moose horns and that's all I see. I don't see no other meat. All I see is big 65, 70-inches horns and the -- and these are people having their own planes and people in commercial planes and I think that is so very wrong and I wrote about it on the Facebook one time how I see wanton waste on the meat, that they should at least give it to the nearest villages so they can at least enjoy the meat instead of going to waste.

3.31.2 Air Transportation: Flying, Overflights, Landings

Comment 136811.004

Mark Richards, Co-Chair

Alaska Backcountry Hunters & Anglers

Regarding the step-down plans, visitor use and wilderness stewardship plans that are part of the revised CCP, we look forward to working with Refuge staff on future efforts to mitigate some of the visitor use concerns and conflicts.

The # 1 issue Refuge managers will have to deal with in that regard revolves around aircraft access, and how to fairly regulate aircraft access and visitor numbers in certain areas at certain times so that we curb some of the overcrowding and conflicts that arise, while still allowing everyone that wants to visit the Refuge to do so.

The most common complaint we hear from our membership and other hunters who hunt in the Refuge concerned aircraft access and use for sheep hunting, the low-level scouting of Dall sheep that impacts both sheep and sheep hunters, the lack of real ethical standards and a need for more stringent same-day airborne regulations that mandate a longer timeframe before one can land and then legally harvest a ram, and/or a mileage component whereby one must be a certain straight-line mileage from the plane before hunting.

We recognize that there is not much Refuge managers can do to regulate such activities, and AK BHA will attempt to work via the Alaska Board of Game process to propose new regulations that govern aircraft access for sheep hunting statewide.

Comment 136989.001

Donna Osseward, Chair

Alaska Coalition of Washington

Airplanes should be more strictly restricted in the Refuge. They should be permitted only for Management, Guided Tour drop-off and pick-up, Research and for Rescue missions. All airplanes should be required to land only on designated durable land airstrips except in a emergency conditions and prohibited to land on sensitive tundra and wetland areas. Commercial airplane touring over the Refuge should not be permitted; it destroys the wilderness experience and causes noise pollution. Also, unrestricted camping with the use of airplanes for game spotting and hunting by plane should not be permitted. All airplanes flying over or landing in the Refuge should obtain permits for allowed activities with dates provided. There needs to be more enforcement of the rules with penalties for non-compliance. Helicopters should not be permitted in the Refuge because of their high impact on sensitive lands and noise.

Comment 136796.014

Julie Kates, Refuge Associate, Federal Lands Program

Defenders of Wildlife

With respect to aircraft landings, Defenders supports the Service's intent to assess conditions and trends regarding their impacts to sensitive vegetation.[48] We understand that a balance must be struck to provide reasonable and safe access to wilderness users. However, where aircraft landings are causing excessive damage to tundra vegetation or wilderness character, the Service must prioritize preservation over access.

Comment 032627.028

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

The need for appropriate regulation of aircraft access in the Refuge is also a widely recognized issue due to a progression of long term impacts to soils, vegetation, visual esthetics and other wilderness characteristics. The final CCP must commit to addressing aircraft issues in a manner that incorporates appropriate (reasonable regulations) “to protect natural and other values” (Section 1110 ANILCA). Because aircraft access is intimately associated with visitor use and wilderness stewardship, these concerns must be integrated into a subsequent wilderness stewardship plan.

Comment 136926.001

**Bob Dittrick, Co Owner
Wilderness Birding Adventures**

I support efforts to limit air traffic in narrow corridors, by encouraging alternative routes. When one is on a river which another group is leaving you will experience two flights per load (one coming –one going) where a normal trip will have 4 loads. That is 8 over-flights for every trip on the river, too many to experience and have a quality wilderness experience.

· I have been experiencing over-crowdedness as an air carrier drops groups all around me and on top of me – landing seemingly everywhere with another group. It became very difficult to travel down river and have adequately camping areas because of the crowds. There may need to be some limits on that commercial activity.

Comment 032628.019

**Fran Mauer, Alaska Chapter
Wilderness Watch**

The need for appropriate regulation of aircraft access in the Refuge is also a widely recognized issue due to a progression of long-term impacts to soils, vegetation, visual esthetics and other wilderness characteristics. The Final CCP must commit to addressing aircraft issues in a manner that incorporates appropriate (reasonable regulations) “to protect natural and other values” (Section 1110 ANILCA). Because aircraft access is intimately associated with visitor use and wilderness stewardship, these concerns must be integrated into a subsequent wilderness stewardship plan.

Comment 000017.015

Wilderness Watch - Full

The management guideline prohibiting helicopter landing for recreation is good, but more limits on the use of helicopters by the agency should be specified.

Comment 000017.002

Wilderness Watch - Full

-----Preamble/Intro-----

Visitor Use Impacts and issues - During the scoping process, the public identified many actions that are needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge’s 1988 CCP also committed the agency to address visitor use

issues in future plans, but none were ever begun.

Significant visitor use impacts that should be addressed now in this plan include:

-----Comment-----

- Aircraft landing sites: The CCP must mandate a process for developing regulations that prevent proliferation of aircraft landing sites in the Refuge and prescribe measures to restore impacted areas. The CCP should develop and implement a system of zones within the Refuge where aircraft landings are not permitted, and it should limit landings to durable services, such as gravel bars.

Comment 000016.002

Wilderness Watch - Partial

Aircraft landing sites: The CCP must mandate a process for developing regulations that prevent proliferation of aircraft landing sites in the Refuge and prescribe measures to restore impacted areas. The CCP should develop and implement a system of zones within the Refuge where aircraft landings are not permitted, and it should limit landings to durable services, such as gravel bars.

Comment 136880.001

Unnamed 2

There should be no-fly zones during caribou migration

Comment 136769.001

Unnamed 8

Air Service is taking over the airport, not paying their landing fee. Bring in people that are trespassing, stealing things. How do we protect the land for the future?

Comment 136921.002

Bob Brister

Aircraft landing sites must be strictly limited and regulated.

Comment 136924.002

Kit DesLauriers

Some regulation of where aircraft can land, i.e. limit it to gravel bars where the vegetation won't be affected, should also be considered however when snow is on the ground I don't think the regulation should be enforced.

Comment 136963.001

Tim Durnell

please limit aircraft landings in the Refuge and commercial services

Comment 136967.002
Susan Feingold

The careful regulation of where it is permitted for aircraft to land, to prevent proliferation of airplane landing sites through the Wilderness lands. In the same spirit commercial service free zones should be established - as provided for by the FWS's nationwide Stewardship Policy. And of course prevention of low flying aircraft which would harass wild life, indigenous populations and visitors.

Comment 136928.002
Vivia Finlay

However, we would like to see some controls on aircraft landing areas in the refuge, as we could tell that could become a problem with private planes, and commercial air taxis landing where-ever they are able and thereby possible damaging the fragile environment.

Comment 136929.001
Jeanne Held-Warmkessel

severely restrict aircraft except deliveries to villages

Comment 136906.002
Gideon James

Airports on the Refuge, are existing landing zones considered as new facilities? How does that relate to the public use statement: "No new facilities" He is concerned about the PU of aircraft on the Refuge. He stated that the Refuge Management should include a no-fly zone when the caribou are migrating.

Comment 136797.003
Andrew M. Keller

While aircraft access is necessary in a conservation area of this size, aircraft landing sites should be mapped and examined to evaluate where they are necessary and where they can be eliminated or at least prevented from spreading.

Comment 136976.002
Suzanne Kuffler

setting up specific landing sites with stone runways while having huge areas off limits to uncontrolled air traffic

Comment 009556.003
John Lyle

I believe aircraft proliferation should not occur and landings should be limited to durable surfaces such as gravel bars.

Comment 032653.002
John Lyle

Aircraft proliferation must not occur and landings should be limited to durable surfaces such as gravel bars.

Comment 032662.003
David McCargo

As part of the Refuge's wilderness management strategy, the Refuge has to address the pernicious problem of aircraft landings. How many, for example, are associated with different type of activities such as hunting, "subsistence", and floating and backpacking activities? Landing sites were proliferating all over the Refuge decades ago and once again must have proliferated since then. The Refuge to my knowledge has refused to do anything about it in a meaningful way. Landings should be prohibited on fragile habitats like tundra and be restricted to hardened and/or regenerative sites like gravel bars. It has been a longstanding recommendation on the part of many since ANIL.,CA that there should be No-Fly Zones. Despite using them myself, aircraft are a real intrusion into Alaska wilderness and there are very few places left most notably northwest Alaska and Canada where aircraft are uncommon to almost absent. Not only are aircraft intrusive, but they degrade from one of the essences wilderness which is loneliness by being something of a security blanket.

Comment 136984.001
John Moore

Develop regulations that prevent proliferation of aircraft landing sites in the Refuge and prescribe measures to restore impacted areas. Develop and implement a system of zones within the Refuge where aircraft landings are not permitted, and limit landings to durable surfaces, such as gravel bars.

Comment 000069.001
Helen Nienhueser

4 I would like to suggest that in this
5 summary -- I do support Alternative C in general, but
6 in this summary under Alternative D where there is talk
7 about work with air taxi operators. My trip down the
8 Konugut, which must have been at least five years ago,
9 there were too many airplanes. So if there is -- and I
10 know that I got there in an airplane, so I know that
11 managing it is not simple, but if there is a way to
12 somehow reduce the number of airplanes, that would be
13 good. So I would recommend that.

Comment 136804.010
Matt Nolan

Mechanized free zones. I read about such comments and though I'm not much in favor of designating an area totally free of aircraft landings, I would not be opposed to, say, prohibiting or discouraging their use on weekends or something similar in an area.

Comment 136993.003
Julie RaymondYakoubian

the issue of aircraft landing sites needs to be addressed through regulations that both prescribe measures to restore already impacted areas and that prevent aircraft landings in sensitive areas, limiting them to durable surfaces such as gravel bars.

Comment 136994.001
Yote Robertston

I would also like to see more restrictions on the use of fixed wing aircraft. I have witnessed hassasing fly overs of sheep. And the spotting of rams from aircraft then landing and shooting Is ruining our entire state not just Anwr.

Comment 136998.005
Thor Stacey

I would also like to stress the need to restrict big game transporters and air taxis in the future. Specifically, transporter permits should be awarded only to part 135 air taxis who operate in the refuge for at least 3 months of the calendar year. This precludes "hunting only" seasonal operators and encourages healthy and safe transportation infrastructure on refuge lands. This will significantly reduce user conflicts as well, due to transporters understanding "non-consumptive" uses and will foster better community relations that will reduce conflicts with subsistence hunters.

Comment 136816.005
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Third bullet under Alternative D: I think that restricting or dispersing flight-seeing activities is a good idea. But I question the advisability of dispersing commuting flight paths (and I take it that "commuting" means pick up and drop off of river rafters, backpackers, etc.). The Kongakut is a mountainous area, and there are not a lot of ways into and out of particular landing spots. It seems to me that flight paths should be determined by the pilot according to safety and the direction the pilot is coming from or is headed after the pick-up or drop-off.

Comment 136909.001
Unknown Unknown

Stated that use of aircraft is also causing a problem with them leaving gas cans on the land.
Potential problem with contamination of land and water.

Comment 136826.001
Raelene Gold

Only guided trip plane drop off and pick up services should be allowed: overhead touring should not be allowed as it destroys the wilderness experience of others and causes noise pollution. Helicopters should not be allowed in the wilderness area.

3.31.3 Commercial Operations, General

Comment 136794.006
Bill Iverson, President
Alaska Outdoor Council

-----Preamble/Intro-----

The Alaska Outdoor Council (AOC) recommends that the Service withdraw their draft ANWR CCP/EIS and submit a draft that would be consistent with NEPA regulations regarding the study, development, and submission of appropriate alternatives to recommend a course of action which could resolve conflicts concerning alternative uses of available resources within ANWR.

-----Comment-----

3. AOC recommends the construction of sanitation facilities, hardened camp sites, and aircraft landing sites along the Kongakut that commercial operators and their clients are required to use.

Comment 000017.003
Wilderness Watch - Full

-----Preamble/Intro-----

Visitor Use Impacts and issues - During the scoping process, the public identified many actions that are needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge's 1988 CCP also committed the agency to address visitor use issues in future plans, but none were ever begun.

Significant visitor use impacts that should be addressed now in this plan include:

-----Comment-----

- Commercial services: The CCP should require the FWS to establish limits on the number of commercial outfitters allowed in the Refuge. The plan should also establish commercial free zones (as provided for by the FWS's nationwide Wilderness Stewardship Policy).

Comment 00016.003
Wilderness Watch - Partial

Commercial services: The CCP should require the FWS to establish limits on the number of commercial outfitters allowed in the Refuge. The plan should also establish commercial free zones (as provided for by the FWS's nationwide Wilderness Stewardship Policy).

Comment 136921.003
Bob Brister

Commercial outfitters must be limited and commercial free zones established.

Comment 136807.004
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

13 The numbers of outfitters should be limited. No one should be required to hire an outfitter to travel in the wilderness unless they are not confident that they can keep from getting lost. Will anyone be available to find travelers that get lost? Wilderness travelers should file travel plans including when they plan to return.

Comment 136908.001
Jonathon John

Stated his is concerned about hunting guides and use of aircraft, and the use of hunting transporters and aircraft. Said that transporter can bring in to many hunt clients. Said that transporters should be limited to an area and in how many clients they can bring in just like the commercial hunt guides. Said that local people should be hired to provide transportation, with boats etc., Transporter Permits should be given to local people.

Comment 032653.003
John Lyle

There should be a strict limit on #'s of outfitters and guides and sections of the refuge designated as "Commercial Free Zones".

Comment 136993.004
Julie RaymondYakoubian

the CCP should limit the number of commercial outfitters allowed into the Refuge and establish commercial free zones

3.31.4 Cumulative Effects

Comment 136822.007

**Wade Willis
Science Now Project**

Unsuccessful sport hunters are a source of negative impacts that must be considered.

The USFWS has no formal sport hunting management plan which coordinates and defines the scientific management of wildlife in the Arctic Refuge, including defining a sustainable sport hunting harvest opportunity limit for the total number of sport hunters, both guided and non guided combined, that are allowed the “opportunity” to harvest wildlife in the Arctic Refuge

3.31.5 Group Size

Comment 136971.001

**Carol Kasza, Owners
Arctic Treks**

-----Preamble/Intro-----

While we know the following concerns aren’t being addressed in the CCP, we do want to mention them now for consideration in the next steps.

-----Comment-----

In order to effectively, as well as fairly, address visitor impacts, all visitor use needs to be addressed, not just those visitors coming on guided trips. The non-guided segment of visitor use is the sector that has grown the most since the last CCP, and there is no way that a Visitor Use Management Plan can be effectively written without including all users. We support the current limits on group size for guided trips, but they need to be applied to non-guided groups as well. And if limits are to be placed on the number of permits given for guided trips, that would need to be in the context of limiting the overall numbers of visitors, not just those who choose to experience the Refuge with a guide.

Comment 136790.001

Shannon P. Coykendall

I think that limiting group size for all parties, including private trips, would be wise. In an area that takes so long to recover from use, party size is a critical factor to impact. I fully support maintaining the requirement that guided groups can only have one party on a river at one time. Again, I believe controlling visitor numbers before it's absolutely necessary would be key to maintaining a wilderness experience for all involved, whether by a lottery for float trips, spreading out launch dates among parties, or asking “commercial guides to voluntarily modify their use of the river basin throughout the season”.

Comment 136924.001

Kit DesLauriers

While I am obviously a wilderness recreationalist I am in support of continuing to allow recreation as a use of the Arctic Refuge yet if kept unchecked this may cause long term damage to such a fragile

ecosystem. Please consider limiting the number of people allowed on the Refuge's waterways during high season as well as limiting the outfitters who guide them.

Comment 136972.001
Gary Keir

Because of the distance, safety, and logistics involved in visiting the refuge, commercial trips are often the safest and least expensive opportunities for people wishing to experience the Arctic. Commercial outfitters benefit by pristine wilderness and leave no trace practices. I feel a larger group size is safer in bear country. Rafting trips use the same camping areas over and over again while backpackers have multiple options and camping spots may or may not see repeated use and the allowed group size for rafters is ten while the allowed group size for hiking is only seven. The air taxis can carry three or six passengers and with a group size of seven on hiking trips we are landing and taking off on the tundra with empty seats. A group size of nine or twelve would make it more economical for the operators and for the participants.

Comment 032662.002
David McCargo

Controls need to be placed on heavily used areas to prevent over-use and to preserve both recreational and non-recreational wilderness values. In my day, areas like the Kongakut, Sheenjek, Hulahula, the Chandalar went from seeing little or no use to a great deal of use resulting in significant observable impacts. The level of activity most certainly has gotten worse. Group size limits should be placed on noncommercial users as well commercial users, and consideration should be given to disallowing commercial groups in certain areas. Priority should be given to nonguided users where the recreational carrying capacity is exceeded to preserve the wilderness experience. I would not want to see a system develop in the Refuge akin to what has occurred in place like the Grand Canyon or the Tatshensheni where commercial groups have become grandfathered-in oligopolies.

Comment 136942.001
Mike Speaks

I have spent many years running the rivers you mention and the Kongakut in particular. The past few years the numbers have been down and conflicts of too many people have not been an issue. In the mid nineties it was different and I shifted my interest to the Hula Hula and Canning rivers to get away from the "crowds" and this is exactly how outfitters can deal with it, not by regulating. I do agree with one group at a time on the river for outfitters. This seems only fair to the small outfits. I must say, also your group size limit of 10 floaters is a bit unfair. It forces groups to go with 5 people per raft and does encroach on a persons experience, not to mention the safety aspect of the "New Fat American" that takes up two spaces. For economy, group size should be 12, which spreads out the clients and allows another guide to get work, aka JOBS. The 3 boats is no more difficult to camp with no impact. It only requires an extra flight.

Comment 136826.002
Raelene Gold

The number of visitors in a group should be limited to 8-12 and the number of groups in an area limited.

Comment 032663.002
Kevin Proescholdt

Group Size. Group size should be limited to 8 or 9 people. Group size is limited to no more than 9 people in the Boundary Waters Canoe Area Wilderness in Minnesota, the nation's most heavily visited Wilderness. A group size of 8 or 9 would be appropriate in the Arctic Refuge as well. Limits on group size are important for limiting damage done by larger groups, especially at camping areas, as well as enhancing the wilderness experience within that group itself and for other parties or individuals who may encounter larger groups.

3.31.6 Guided Hunting and Fishing

Comment 136807.005
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

15 Popular fishing sights should not be allowed to become over fished. Wilderness is not a place for combat fishing.

16 Do not allow camping sights along fishing streams to become overused and degraded.

Comment 032644.003
Wade Willis
Science Now Project

NEPA compliance of commercial activities in the Arctic Refuge must occur prior to the authorization of the activity.[2]

The current issuance of a prospectus for commercial guided sport hunting activities in the Arctic Refuge is considered a major federal action potentially affecting the quality of the human environment and is subject to NEPA compliance.[3]

The draft CCP identifies visitor use and recreation, including commercial recreation opportunities, and subsistence use of Arctic Refuge wildlife resources as major components of the human environment. [4]

A future "step down" planning process does not meet the stringent and thorough evaluation standards outlined in NEPA regulation.[3]

Any attempt to categorically exclude commercial guided sport hunting activities from NEPA review pending an unidentified "future" NEPA analysis, or the "future" development of a visitor use management plan after authorizing this activity simply does not satisfy federal NEPA compliance requirements.

To date, there has never been any NEPA evaluation of the for profit consumptive take of wildlife in the refuge despite the fact that the current Arctic Refuge manager has already adopted mitigation measures regarding the negative impacts from for profit consumptive take of wildlife in the refuge. In the absence of current or prior NEPA analysis of the activity of commercial guided sport hunting in the Arctic Refuge and the lack of any review in the draft CCP EIS, requesting NEPA impact assessment in the final CCP is justified.[5]

The public has every right to be involved in this issue through the congressionally mandated NEPA process, especially since the Arctic Refuge, through administrative decision, has determined commercial trophy hunting activities must be revoked in GUA 10a and 12 due to unacceptable negative impacts to the human environment.[1]

As well, one of the fundamental guiding principles for implementing NEPA review is the highly contentious nature of an issue, which is clearly identified in the strong public comments submitted during previous scoping meetings regarding consumptive take of wildlife in the Arctic Refuge.

3.31.7 Guided/Non-guided Allocation

Comment 032644.009

Wade Willis

Science Now Project

The Arctic Refuge has no regional or refuge specific policy regarding the allocation of wildlife harvest opportunity between guided and non guided sport hunters.

The draft CCP makes no mention of addressing allocation of sport hunting opportunity between guided, nonguided, and subsistence hunting.

Traditionally the Board of Game and Federal Subsistence Board manage allocation issues, yet the Arctic Refuge manager has trumped state authority to issue harvest tickets for nonresident and non US citizen trophy hunting opportunity for Dall sheep and brown bears.

This is a clear example that if the Board of Game or the Federal Subsistence Board adopt harvest opportunity regulations that negatively impact the management mandates of the refuge, the Arctic Refuge is mandated by congress to restrict that activity.

The justification for revoking Board of Game or Federal Subsistence Board hunting opportunity should carry the highest level of public involvement through the NEPA process.

Comment 136926.002

Bob Dittrick, Co Owner

Wilderness Birding Adventures

Private recreational users create significant damage to the Refuge and this issue is ignored by management.

I have seen much abuse to the refuge, resource damage, trash, debris from past development, toilet paper and feces near water courses. In the vast majority of these cases the perpetrators were private users. I have brought these issues to the Refuge Management's attention several times in the past and I am disappointed that none of the Alternatives or issues have taken this seriously.

Any attempt to address these issues without including the private user is a fool's folly and will never be successful. I understand the reluctance to "regulate" the private user but when they are the problem - it can't be solved without including them. Sometimes their groups are larger than those allowed by commercial operators. Because managers are afraid to require these users to make contact with refuge personnel many head out on the river with no knowledge of no trace use or which areas are most heavily used or how to handle feces. If there are going to be limits to use then the

private user needs to be included. By not requiring these users to check in with their plans the Refuge management has no control, no chance to disseminate educational information on best practices in the Refuge and little idea of what is actually happening there.

I do not support over-regulation of private users, but having them report their activities and therefore allow Refuge Staff to provide information is not regulation. If however if we get to the point of limiting use on busy rivers then the private user must be part of the equation.

Comment 136976.001
Suzanne Kuffler

Control excessive use especially by. setting the number of outfitters at one time .

Comment 136976.003
Suzanne Kuffler

Support off limit areas to outfitters so that independents can know the natural setting. This is provided for in the stewardship policies already and needs to be enforced.

3.31.8 Impacts of recreation (conflicts/crowding)

Comment 136846.002
Edward Alexander, Second Chief
Gwichyaa Zhee Gwich'in Tribal Government

User conflict areas, I think that that needs to be clarified. You know, you guys don't have to deal with it when you're in Fairbanks but I have to deal with it. I have to deal with tribal members who are rightfully angry when we have a boatload of hunters show up down here with just antlers. You don't have to deal with it. I have to deal with it. It's lucky they get out of here alive. You know what I mean? You know the people who are very, very and they see people have just wanton waste, you see people come back with antlers, moose is bloating on the side of the river. People from Fort Yukon use a lot of these areas that -- and it's not even identified and I think that when you talk about a conflict area, you know, we have 1,400 tribal members, 1,400 tribal members from Fort Yukon and when you only interview 26 of them and claim to call that science, I think it's very false. It's a false assumption when the interviews only have to do with moose and caribou and the things that other people deem valuable. It says a lot about your perspective. You know what I mean? There's other things that are valuable within our people here besides just the foods that we happen to consume that somebody else might be interested in consuming so there's a problem.

Comment 136846.004
Edward Alexander, Second Chief
Gwichyaa Zhee Gwich'in Tribal Government

The problem is is that those management areas aren't in here on the Porcupine River. Somebody could build a lodge right there right now and go over there and knock down a thousand caribou a year, fly people in and out. That's going to be a user conflict. I think, basically, what I'm saying is that there are these other management areas that need to be established as well and at -- certainly, the -- some of the things that are being done in here, they're not followed up on the ground.

Comment 136942.003
Mike Speaks

Requiring commercial and private groups to send in launch dates so we can see them on line is the best tool for dealing with crowds.

Comment 032626.036
Greg Warren

V1, 4-226, 4. Perceived Crowding, Conflicts, and Resource Impacts: The first two paragraphs of this section should be moved to Environmental Consequences. The third paragraph should be described as an issue to be addressed in step-down management plans.

Comment 136934.002
Phyllis Mains

My trek down the Atigun River Gorge will be filled with noise from low flying helicopters from the oil fields, and all kinds of human garbage washed in the river from the Dalton Highway—all the ugly signs of what development does to destroy wilderness. Significant visitor impacts should be dealt with in this plan.

3.31.9 Impacts of recreation (waste)

Comment 136801.007
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

If there are problem campsites already in existence due to poor human waste disposal practices, has the Refuge considered encouragement of service trips by volunteers non-profit organizations, or guides who use this area frequently outside of the prime season to conduct cleanups?

Comment 032669.001
Juliette Boselli, Guide/Outfitter
Too-loo-uk River Guides

I also want to comment on the Kongakut River and some of the other rivers overuse problems. I have been running the Kongakut almost every year for over 10 years now in June and like everyone else I saw in the past some serious overuse signs. I personally tried to stop running the Kongakut in June for a while but the Sierra Club keeps chartering a trip then and I realized if I didn't do it they would just charter with someone else. We started using a portable toilet, but to be honest, except at Caribou Pass, I really see no signs of human waste being an issue. Mostly what I see is trampled ground, trailing, tent rock rings, etc. Lately though the traffic on the Kongakut has very much subsided and the past few years impacts seem much less.

It is my belief that runner runners, especially professionals, are some of the best stewards of the river and I see that time and time again. Education for those that don't know how to best leave the least impact is key and therefore I fully support all alternatives that promote education and messages to help in this regard. I cannot let this issue go by though without sharing some of my experiences over the years with another user group, hunters. I have been appalled and sickened by some of the practices I have personally witnessed on several Refuge Rivers during hunting season,

especially the Marsh Fork of the Canning. They simply are ignorant to leave no trace practices or flat out don't care. I have followed hunters down river to find toilet paper and human waste in giant heaps spread across the tundra (I'm talking several days worth) and bags of garbage left in the gravel. I continually find fire rings and have personally seen hunters building fires directly on the ground up on tundra benches with little clue as to the damage they are doing. I do not think we can continue to discuss overuse areas and visitor impacts without addressing this very real problem. Hunters seem to be policed for their hunting practices but not for their impacts on the environment. I think that needs to change.

Comment 136784.003
Adrienne Hall

Management of the Kongakut. I support Alternative D/E as the most reasonable and effective management strategy. I would also add a provision that all commercial providers are required to pack out human waste on raft trips on the Kongakut.

Comment 136807.009
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

20 Management of human waste can become an undesirable issue if it is not dealt with. Rules should be established early and followed up on before they are allowed to become problems. Small digging tools can be carried easily in backpacks and work well.

Comment 009545.002
Andrew Keller

The plan should address the issue of human food and bears. I suggest require the use of bear-resistant food containers for recreational users and working with the surrounding communities to control bear access to food waste in dumpsters and trashcans.

Comment 136797.002
Andrew M. Keller

The plan should address the issue of human food and bears. I suggest requiring the use of bear resistant food containers for recreational users and working with the surrounding communities to control bear access to food waste in dumpsters and trash cans. The two cabins on the Hulahula River are owned and managed by residents of Kaktovik. They are an intrusion in the wilderness and compromise visitors' wilderness experience, as specifically expressed to me by dozens of visitors. The visual impact is on private property and it may be not workable to address this. The fact that bears access human food and trash at these locations is a safety hazard to both bears and people. This situation needs to be addressed.

I support goal #5 and the concept of wilderness recreation. The plan should address the deterioration of wilderness values along the Hulahula and Kongakut Rivers caused by rapidly increased use since the first CCP in 1988. Requiring commercial operators to carry out human waste should be seriously considered.

Comment 136974.002
Don Kiely

I also urge you to consider a requirement for the removal of all human waste from the Kongakut River and all frequently traveled rivers in the Refuge. Technology has advanced far enough to make this eminently feasible and reasonably convenient, and would eliminate human waste problems, even with having to fly out with the waste. Education alone just isn't going to take care of the problem.

Comment 136942.002
Mike Speaks

And as far as campsite impact, ie tent rings, fire rings etc IT IS THE HUNTERS WHO DO THIS! I always preach leave no trace! The old adage of leave only footprints is wrong,, it is leave no trace and the hunters, especially at the air strips are the most obnoxious about trashing a location and the private groups aren't much better. It is the commercial guides who are the real stewards that care.

3.31.10 Impacts of recreation on other resources

Comment 136750.007
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

I again want to emphasize that the guided hunt -- the guided sports commercial hunting in the refuge may be getting out of hand or getting too numerous and we -- you need to have the -- a -- an objective or a goal to see what kind of an impact they have on our resources and the animals that we hunt here in -- within the Arctic National Wildlife Refuge.

Comment 136867.001
Unnamed 18

When subsistence activities are disturbed like Red Sheep Creek being opened and planes affecting (wildlife) and (we are) not getting any moose up creek -- it really hurts because of the Dollars going into resources like gas. Cost of living is high, cannot afford subsistence activities to be disturbed.

Comment 136899.001
Unnamed 8

Reduce or stop impacts of rafting on wildlife, especially caribou

Comment 136744.001
Bert Akootchook

I like the way we are living now and there is another thing that I want to talk about, what my uncle has told me, that the Porcupine herd is always traveling through Canada and through here and we were told that we should not bother the leaders of the caribou, Porcupine herd, and I have been seeing people going up to the land before they even come in doing some studies, bring people to film the caribous that is going through their migration route. These things just got to stop after the first herd has already passed by. These things always -- is already happening at Arctic Village also. Their caribou are being bothered by film makers to see where -- when the first caribou herd goes and then they'll take a different route. These are the kind of things that I don't want to see happen. They used to have caribous along the coast, miles along the coast through many of years until Fish and Game started coming around with their airplanes or learn their migration route or what they have learned from the Native people and I believe that -- I think that should -- they should -- if you're going to have people up there, go up there after the first caribou herd go by.

Comment 136807.003
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

8 Trails must be properly designed in order to prevent improper changes in their directions and making new trails by attempting to make long trails shorter.

Comment 136908.004
Jonathon John

Rafts, Refuge needs to limit the number of floaters-hunters and others on the East Fork of the Chandalar River. Said the number of floaters-hunters in the upper river drainage is affecting the caribou movement and migration routes potentially impacting down river subsistence use.

Comment 032653.001
John Lyle

I support addressing the realities of climate change, especially regarding reducing of stressors on wildlife and natural systems. These stressors include humans, therefore visitor impacts must be monitored and regulated so that the area's wilderness character is not only preserved but also restored to its original condition.

Comment 136993.002
Julie RaymondYakoubian

I believe the CCP needs to address some of the significant visitor use impacts that have occurred since wilderness designation in 1980 - and impacts that may occur in the future - and that the final plan must adequately address this issue.

3.31.11 Monitoring

Comment 136801.006

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

The planning effort to protect the resources also needs to include objectives and goals for avoiding disturbance of the herd and its migration, especially during calving and post-calving, including from aircraft flights and other human caused intrusions. How will this be evaluated and monitored in a way that does not itself add more human intrusion?

Comment 032627.027

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page 5-30: Claims are made that visitor monitoring on the Kongakut, would support actions that could be taken to prevent thresholds from being exceeded. Given the fact that such measures have been employed for the past 12 years, and wilderness conditions continue to decline, it is clear that this approach is not working, because no effective actions have been taken. With no limits on the number of commercial guides and air taxis (Figure 4-12) and no over-all limits on the number of groups allowed on the River at the same time, the positive effects claimed on page 5-30 are not substantiated by the facts on the ground.

Comment 032628.018

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Page 5-30 Claims are made that visitor monitoring on the Kongakut , would support actions that could be taken to prevent thresholds from being exceeded. Given the fact that such measures have been employed for the past 12 years, and wilderness conditions continue to decline, it is clear that this approach is not working, because no effective actions have been taken. With no limits on the number of commercial guides and air taxis (Figure 4-12) and no over-all limits on the number of groups allowed on the River at the same time, the positive effects claimed on page 5-30 are not substantiated by the facts on the ground.

Comment 000038.001

David Brown

49 Addressing the consumptive take by the commercial
50 hunting industry. I think if I was sitting at that

1 table with you folks, I'd be taking into that a lot
2 more consideration. There's got to be better
3 monitoring. There's got to be a better balance.

Comment 136974.001
Don Kiely

One concern I have with Alternative E is the wording for Kongakut River visitor use, detailed in Alternative A and included in Alternative E: "Visitor use monitoring occurs every other year or less frequently." I suspect that given your resource constraints that every other year is a reasonable goal, but won't it be too easy to let this task slide if "or less frequently" is left as an option? Please set it at every other year, or at least every third year, so that heavily used areas are not allowed to deteriorate beyond easy repair.

Comment 136979.001
John Lynch

This raises the issue of user impacts: The CCP should include a plan to monitor user impacts, set limits as needed, and gather the resources to enforce the limits.

Comment 136998.003
Thor Stacey

the refuge would do better to fund and implement a more effective enforcement division for its existing regulations and special use permit conditions, than create more specialized management zones (Wilderness, Wild and Scenic Rivers). It is clear to me that the next 10-15 years will see a rise in interest and visitation to the refuge. This means that in both the short and long term future, enforcement will be critical to implementing the results of the final compromises of this CCP. I recommend dividing the refuge into three enforcement zones with both north and south side parity. One in Arctic Village and Kavik, one in Venetie and Kavik and one in Coldfoot and Happy Valley. Though this will require over 1 million dollars annually, it will be the ONLY way this CCP will be effectively implemented. I also recommend the purchase and use of at least one gas powered helicopter for fish and game enforcement. This is more effective and safer than fixed wing patrol and will ensure air superiority over the general public.

Comment 136816.002
John Strassenburgh

Under Alternative A (page 10 of the 20 page Summary of Draft CCP from the CD sent to me entitled "Arctic_DraftCCP_SummaryRpt_052511.pdf") there is reference in the bullets to "occasional compliance checks" and "Visitor Use monitoring occurs every other year or less frequently" and "campsite conditions are monitored periodically." That language is broad, and one gets the sense that monitoring and compliance checking is very rarely conducted. If you don't know whether the rules are effective and being followed and if you don't identify the nature, extent, and location of the impacts, it is hard to manage visitor use effectively. Accordingly, I would like to see more emphasis placed on monitoring visitor use, identifying impacts, managing the impacts, and making sure the management is effective in protecting the wilderness itself, and maintaining the quality of the wilderness experience for those who visit the Refuge. I think, from the first bullet under Alternative B (which extends to the other action alternatives), that FWS recognizes this need, but the bullet does not go far enough. Establishment and implementation of a comprehensive monitoring and enforcement program should be a high management priority, with increasing emphasis as visitor use increases.

3.31.12 Non-Guided Rafting/Boating

Comment 136823.002

Ruth Wood

I support working with commercial guides to redistribute the number of groups on the river during heavy use periods, but I think you need to try to redistribute private trips too. I took one trip where we saw 3 other guided trips and 2 private trips. That is a lot. I think private trips should require a simple permit so that NFW knows who's on the river when, and I think they should have a size limit even if it is the same as for commercial groups. Most private groups I've seen are smaller, so maybe the limit could be smaller, but better to have the limit before it is needed.

3.31.13 Other recreation activities

Comment 136670.001

Unnamed 13

Need to engage Kaktovik high school youth in career opportunities so they can get jobs with U.S. Fish & Wildlife

3.31.14 Outreach/Education

Comment 136971.003

Carol Kasza, Owners

Arctic Treks

-----Preamble/Intro-----

While we know the following concerns aren't being addressed in the CCP, we do want to mention them now for consideration in the next steps.

-----Comment-----

We strongly support the intention in Goal 9 to limit the kinds of information given to visitors, in order to support the goals of visitor independence, self-reliance and freedom. We also want to point out that from our perspective, this is also a very effective management tool to place "natural limits" on the overall numbers of visitors. The number of non-guided visitors has increased largely because of the increased route and other information that has grown steadily over the years, through media coverage, internet postings of private trip journals, etc.—and any other specific "trip planning" info from FWS would only increase the numbers of visitors who are not really wanting to be that self-reliant and independent—but who also do not want to pay the cost of a guided trip to benefit from the knowledge, experience and appropriate practices of a guide.

Comment 136756.001

Unnamed 10

We need the young people to get some training to protect and care for the land.

Comment 136669.001
Unnamed 12

Someone who worked at the Harold Kaveolook school wanted Refuge staff to come to the school and talk to the students about the CCP process

Comment 136671.001
Unnamed 14

Seems like there is a lot more outreach emphasis placed on Arctic Village rather than Kaktovik.

Comment 136673.001
Unnamed 16

There have been some Refuge education programs in Kaktovik, but there could more.

Comment 136937.001
Lisa Moorehead

I would encourage you to manage visitation in such a way as to be able to create more education of and accountability by private users. Very often they lack the experience to employ practices that maximize perpetuation of the wilderness quality of the Refuge, and they lack the long-term perspective to understand consequences of their actions -whether that be actions that impact the land or that create problem bears for subsequent visitors.

Comment 136816.003
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

I think that developing educational materials for the public with targeted messages... (second bullet under Alternative B) is good. My question is how this information would be disseminated to the visitors so that they understand it and appreciate the importance of following the rules. A brochure at the Arctic Village airstrip is not enough. At Glacier Bay, NPS required us to watch an educational video before going kayaking. This type of requirement may be necessary for Refuge visitors. Currently, some guides are very good at educating their clients about both low impact methods and also why they are important. Perhaps FWS should develop a video or a standard orientation program that the guides could use to educate their clients.

Comment 136826.003
Raelene Gold

There should be a mandated educational introduction to the Refuge teaching about wilderness values and restrictions and low impact use.

3.31.15 Polar Bear Viewing

Comment 136977.001
Janiene Licciardi

-----Preamble/Intro-----

I would like to describe my experience in the village of Kaktovik in September 2011. This was my second visit. My arrival coincided with the fall whaling season. Two bowhead whales had been killed just before and during my visit, the remains of their carcasses dumped in the “bone pile” just outside of the village. It was soon clear to me that putting the whalebones out for the bears was a regular, seasonal event, which drew not only locals, but visitors from afar. I was invited to drive to the bone pile by a working visitor similar to myself, although he had access to a vehicle. There were two other visitors (casual tourists) in the vehicle along with myself and the driver, and we parked near the bone pile in front of wooden sawhorses with the words “designated bear viewing area” written across them. These wooden rails were propped approximately 30 feet from the whale bones. About eight polar bears were present (and transiently, one grizzly), a few of them cubs, all eating and none of them paying much attention to the handful of vehicles parked near them. Some people had their windows rolled down, and I saw a child of about four years of age sitting in an open window of one truck. It seemed to me that I was at some sort of a trash dump, the bears a curious spectacle, not really wild, not really natural, not really being respected for what they were. It seemed a blending of game farm, bait station, and open-air zoo.

A couple of events surrounding the bone pile were elucidating. One was this: I observed a man with a camera in his hand step out of his truck, walk up to the wooden sawhorses (which were not zoo bars to the bears but perhaps to the man they were), and stand in the dim light of dusk, snapping pictures, his world reduced to the barrel-view of his lens, devoid of any peripheral vigilance. Another incident was this: a young polar bear (maybe a two year old cub) walked toward the vehicle I was in, put its nose and paws on the truck door, rocked it a little, slowly ambled around to the back of the truck, stood up, and eventually placed its paws on the lowered tailgate before we drove away.

Part of me regretted my presence and passive participation in this scene. Part of me was intensely excited to be close to the bears, so close I could see the blood on their muzzles, their vaporous breath in the air, the very nostrils from which this breath exhaled. Despite the thrill, I was ultimately saddened and unsatisfied. I'd seen other polar bears, brief mirages on the sea ice, blurs of yellow-white running across a road, and this was the way I preferred to see them, shunning humans and their activities. The driver of the vehicle I was within did not heed our requests to drive away when the bear approached. He thought it was alright to park within 40 feet of wild polar bears feeding on a staged bone pile. And indeed, there were no signs telling anyone any different (humans of the tourist sort need signs). Will this young bear learn a bad habit from these types of encounters? Will a careless human be injured or killed by such a bear someday, leading to the killing of the bear? This interface of humans and bears seemed incongruous. Here they were, large, enigmatic wild beasts, iconic symbols of the wild arctic, surrounded by flimsy wooden signs, exhaust-breathing trucks, and stupid humans. Although I consider myself thoughtful and respectful, my lack of preparation and foresight led to this transgression. How to fault all the other transgressors when I was one, too?

Beyond my own feelings about the bears in Kaktovik, there are many larger issues. I understand that unless we halt or reverse climate change, this particular race of polar bear is not long for the earth. I understand, too, that removing the bears' ready source of meat and bone from the spoils of Kaktovik whalers would hasten their demise. Adding to the stew, people from all over the country and the world want to see polar bears before they disappear in the present big extinction, and they are coming to Kaktovik, which is hardly prepared for this invasion. For Kaktovik, and for the whole of the Refuge, this is a pivotal moment in conservation. The moment forces all of us, native and visitor alike, to reconsider how we can coexist with nature and animals, and to think deeply about what we expect from our preserves and parks in a rapidly changing world.

-----Comment-----

The revision of the Arctic National Wildlife CCP needs to reflect the changing landscape of the earth, changes in climate (an unequivocal fact in the arctic), changes in the ways people travel and participate in so-called ecotourism, changes in the population and health of the animals and birds living within the Refuge, increasing demand for extraction of resources, and a burgeoning human population. The situation in Kaktovik is moderately alarming. I believe we can do better to allow polar bears a safe environment, and perhaps even some hope. I believe we can more effectively educate the public, teach appropriate behavior around wild polar bears, and take measures to reduce further harm to the bears and their habitat. I know, too, that this bone pile in Kaktovik is not inside the jurisdiction of the Refuge.

3.31.16 Special Use Permitting

Comment 032644.002

Wade Willis

Science Now Project

In the Science Now Projects opinion the potential for significant impacts resulting from the for profit consumptive take of wildlife resources in the Arctic Refuge are evident, and corroborated by administrative decision record of the refuge manager.

The consumptive take of wildlife should warrant the highest level of scrutiny by the Arctic Refuge, and that should promote the highest level of public participation due to the significant long term risk to the wildlife resources and the controversy associated with the activity in the opinion of the public.

The significant lack of any formal public planning to date has led to significant abuse of NEPA compliance mandates for commercial guided sport hunting activities within the Arctic Refuge. This has resulted, in our opinion, in extreme political manipulation of the process of defining the long term "business partnership" the Arctic Refuge has with this industry.

I need only remind you that the prospectus process is not relied upon exclusively to award commercial guided sport hunting SUP's. Nothing could open the door any wider for the political manipulation of the process than this administrative decision.

Comment 032644.007

Wade Willis

Science Now Project

The Arctic Refuge has no formal policy adopted through a public planning process to guide yearly amendments to the operational plan of individual commercial guided sport hunting Special Use Permits (SUP's).

The Alaska Board of Game (BoG) and the Federal Subsistence Board (FSB) meet to review GMU 26C issues on a two or three year cycle. Neither board is well equipped to respond to issues that arise on a yearly basis.

The primary issue is this: Only the USFWS is bound by the mandates of Congress to manage Arctic Refuge wildlife resources in the long term best interests of the public as a whole.

NEPA is the primary tool Congress gave the NPS to successfully accomplish this mandate. It is highly inappropriate for the draft CCP to recommend exempting the consumptive take of wildlife from a formal NEPA review immediately.

Comment 136822.009

Wade Willis
Science Now Project

The USFW enters into 10 year “business” contracts with the commercial guided sport hunting industry with a policy to sustain the economic viability of the concessionaire. Guided sport hunting activities are much easier to authorize than they are to revoke. Accordingly, strong attention to both issuing a new contract, and the terms of that contract, are warranted.

Comment 136822.002

Wade Willis
Science Now Project

-----Preamble/Intro-----

Issue: Lack of NEPA compliance regarding the consumptive take of wildlife in the Arctic Refuge, including the major federal action of issuing prospectuses for commercial guided sport hunting activities. The categorical exclusion finding is not appropriate as historical NEPA review in 1988 is inadequate (e.g. did not consider historical, current or future harvest rates) and is not timely being 23 years old.

The public has never been given the opportunity to define the implementation policy for commercial guided sport hunting activities in the Arctic Refuge. Currently, the USFWS allows the legal sale, on the open market, of transferred special use permits that authorize guided sport hunting activities, with a guarantee that the special use permit will be granted to the buyer.

The proposed future step down planning process for developing a sport hunting management plan is not adequate to address unsustainable sport hunting opportunity that is already resulting in significant impacts to wildlife resources as confirmed by existing administrative decision closing guide use areas with the refuge. The 1988 CCP promised a future step down planning process, and the USFWS never complied during the following 23 years. Now, the USFWS wants the public to buy into the same empty promise.

-----Comment-----

Conduct a NEPA compliance review within the environmental impact statement associated with the draft CCP regarding historical, current, and future sustainable harvest rates, as required before authorizing commercial guided sport hunting activities.

Comment 032625.003

Nicole Whittington-Evans, Alaska Regional Director
The Wilderness Society

We also strongly urge the USFWS to work with locals interested in guiding hunts on the refuge and working out a reasonable process whereby locals can compete for big game guiding permits within the refuge.

Comment 032628.032
Fran Mauer, Alaska Chapter
Wilderness Watch

Section 4(d)(6) of the Wilderness Act of 1964 allows commercial services to be performed in designated wilderness “to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.” To our knowledge the Service has not determined “the extent necessary” for commercial activities under permit within the Arctic Refuge. Indeed, the Draft CCP indicates for example, on Page G-9 “There is currently no limit to the number of trips or clients, permittees can take to the Refuge, nor is there a limit to the number of commercial air operators permitted to operate on the Refuge.” It is our understanding that currently there is also no limit to the number of commercial recreation guides permitted to operate on the Refuge. Table 4-12 (Page 4-210) shows a steep, progressive rise in the number of commercial permits issued by the Refuge for 1980, when Wilderness was designated (7 permits) to 2008 when nearly 40 permits were issued. Page D-9 acknowledges that “non-competitively awarded special use permits are increasing in number year to year.” The Draft CCP does not report the number of commercial permits for air operators and recreation guides have been issued from 2008 to 2011. The Final CCP should provide this number.

Comment 032628.033
Fran Mauer, Alaska Chapter
Wilderness Watch

We are concerned that while the public has indicated in scoping that increasing permits and recreational uses are contributing to degraded wilderness character in the Refuge, the Service has decided to add this topic to the list of “issues considered but eliminated from detailed study.” Instead this issue is relegated to the possibility of a Visitor Use Management Plan that is given priority 2 and scheduled for completion as late as 2021 (Table 6-1). Looking at the graph on Table 4-12, one could project that there could easily be over 60 commercial air operators and recreation guides permitted on the Refuge by 2021. When is the Service going to determine what level of commercial services is “necessary” according to the Wilderness Act? Section 4(b) of the Wilderness Act requires each agency administering designated wilderness “shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character.”

Comment 032628.034
Fran Mauer, Alaska Chapter
Wilderness Watch

The Service received scoping comments recommending that an area free of commercial activity and mechanized access be considered for the Refuge as allowed under the Wilderness Stewardship policy (601 FW 2 E). This recommendation was relegated to “eliminated from detailed study.” Although the Service continues to avoid regulating the number of commercial operators, we disagree with the determination to not study this further. We request that the Final CCP include consideration of an area free of commercial activity and mechanized access in a Wilderness Stewardship or Visitor Use Management Plan. We also recommend that the Final CCP require that a freedom of choice option be included in the above planning process.

At a minimum the Service must place a moratorium on the issuance of any new commercial outfitter permits until an appropriate analysis of the need for commercial services and the extent that they are necessary is completed.

Comment 136716.001
Unnamed 55

USFWS is doing rule-making with the guidelines, and certain rules may make it prohibitive for locals to become hunting guides. Guiding is an exclusive and arrogant field that requires so much training and so much money to get that training to become a Master Guide which then qualifies a person to compete for hunting areas on the Refuge. There needs to be a mechanism that makes it so local people have an opportunity to become a guide. These local people would provide better stewardship of the land and bring in traditional hunting methods. USFWS permits should maybe differentiate and offer better opportunities for local folks to get involved.

Comment 136717.001
Unnamed 56

They make the bar so high and difficult to become a Master Guide. They're should be an alternative for requiring a Master Guide's license for local hunters who have been hunting all their lives.

Comment 136718.001
Unnamed 57

Local guides are already "Master Hunters". Why should locals have to learn the white man's rules for becoming a Master hunting guide when these locals have been hunting all their lives?

Comment 136720.001
Unnamed 59

Is there a way for when Master Guides are selected for ANWR that they can have local hunters as an apprentice?

Comment 136722.001
Unnamed 60

Locals are victims of permitting and outside hunting because it competes directly with local resources. Corporations are thinking about hiring a Master Guide with a permit already in the area, and the guide would take on a local apprentice. Guide would hunt for village and Guides and their clients would get the trophy value of the animal.

Comment 136723.001
Unnamed 61

Arctic Refuge should cooperate with local governments regarding the permitting process. Permits should have language that permittees need to seek permits from other governmental agencies that are applicable. Many permittees think that they only need permits for Arctic Refuge when they actually need other permits from other governmental organizations. Must seek all appropriate permits including those from local municipal governments.

Comment 136724.001
Unnamed 62

Owners of traditional use areas should be notified of who was issued a permit for use around their area

Comment 136733.001
Unnamed 70

When permitting a high risk activity that could possibly affect subsistence activities, good to have subsistence advisers.

Comment 136951.001
Nick Jans

I strongly urge that mandated NEPA compliance regarding commercial trophy hunting within ANWR is maintained according to the letter of the law. It is not right or fair that commercial trophy interests (i.e. registered guides) operate without FULL public participation as required by law, on a regular basis, as required by law.

According to the 1998 Comprehensive Conservation Plan, viz. Draft CCP Section 2.4.18, "the refuge must comply with NEPA and the compatibility requirements of the Refuge Administration Act before authorizing commercial activities or uses."

I resent the fact that commercial interests are gaining access to public lands without mandated public input, and have de facto turned portions of ANWR into their own private reserves, from which they extract highly valued big game species for their own personal gain, while public access is limited.

I resent the fact that these private enterprise hunting activities have not been reviewed as required, with due public input.

ANWR is not a cash cow for a select few, guiding a moneyed elite, to extract valuable big game without due public comment.

I demand that the rule of law in all matters pertaining to this use of ANWR be adhered to, as required by law.

Comment 009556.004
John Lyle

I believe there should be strict limits on numbers of outfitters and guides, and that vast sections of the refuge be totally off limits and set aside as commercial-free zones.

Comment 136984.002
John Moore

Limit the number of commercial outfitters allowed in the Refuge or on the total amount of commercial outfitter operation (by watershed?), if found necessary to keep impacts to an acceptable level.

Comment 136754.001
George Tagarook

if the refuge could continue charging big game hunters, recreationalists and guides more for taking subsistence resources away from subsistence users, ANWR -- they should work with North Slope Borough planning department to get permits for commercial uses, guides, recreationalists and work with the Native Village or the City of Kaktovik local residents and get permits for the northern use of the refuge and, working with the community of Kaktovik and Kaktovik local corporation, they could develop the land.

Comment 136775.001
Myra Thumma

You know, our goals should be protecting the areas where there's hunting areas, how to limit the hunting and all that because there's a lot of, you know, people coming in that is for trophy hunting and all that while that -- you know, where we're the people that are from this land. We know how to hunt. We know how to take care of the land and there's other people that just come in and just abuse the land and that's what a lot of people were against and I think that, you know, we have the right, as the people that lives here in the community and the villages, in a community where the people are from.

Comment 032626.002
Greg Warren

Visitor Use Management: I recommend that a moratorium be placed on issuing permits that would increase the number of visitor use days until such time that a step-down Visitor Use Management Plan direction can be applied.

Comment 032626.037
Greg Warren

-----Preamble/Intro-----

V1, 4-226, 4.Perceived Crowding, Conflicts, and Resource Impacts:

-----Comment-----

Describing that management actions will be reactive to address impacts after the damage occurs is not sound resource management, especially in tundra environments. In addition, visitor use levels and patterns are difficult to reverse once air taxi, transport, and outfitter services are established. I recommend that the Arctic Refuge establish a moratorium on issuing any special use permit that would increase visitor use levels until visitor use step-down plans direction can be applied—limit

permits and associated visitor days to 25 recreation special use permits and 14 air operations permits (Table 4-18).

3.31.17 Visitor Experience

Comment 032619.002
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

Based on the Service's intent for its overall management approach, it is questionable that the recreational values expressed as one of the original purposes of the refuge when it was first established in 1960 will be adequately protected as required.

Comment 000077.003
David Raskin
Friends of Alaska National Wildlife Refuges

5 Recreation opportunities must be managed to preserve
6 the wilderness experience for visitors and the
7 wilderness character of the refuge.

Comment 032661.002
James Gideon

Activities on Arctic refuge today is normal. Some years Arctic Village Airport get lot traffic of hikers floaters or just Adventure seekers. overall it indicate its real purpose.-The value of the coastal plain is serving the Public through attraction.-this new study should seriously recognize that and keep oil/gas development out of coastal plain of Arctic Refuge

Comment 009544.003
Frank Keim

In the final plan, there should be a commitment to address valid public concerns of visitor use and wilderness stewardship.

Comment 032622.003
Frank & Jennifer Keim

In providing for wilderness recreation, the USFWS should allow opportunities for visitors to experience adventure, challenge, solitude, independence and freedom with minimal interference.

Comment 136804.001

Matt Nolan

Kongakut River management. This issue is indeed a tricky one -- how to keep the public from loving the place to death as well as how to manage the public without them feeling like they are entering through the Iron Curtain. I think the Management Alternatives regarding education are all great ideas. However, I would propose an even simpler alternative that could be implemented at almost no cost right away. I'm a big fan of letting folks self-organize to meet common objectives, but often this requires some top-down help. In this case, I think establishing a web page, something akin to a Google Calendar, that would allow commercial operators or individuals to post their proposed dates and locations to a centralized location would eliminate much of the overcrowding issue without management intervention. That is, those users who seek a wilderness experience with minimal human interaction would spontaneously utilize such a calendar to avoid such interaction. The calendar itself would not be binding or enforced in any way, it's just a way of letting others know each others' intentions. If this is outside the current purview of Refuge management, I suspect an unofficial suggestion of this idea to the major guiding outfits would go a long way.

Comment 136993.001

Julie RaymondYakoubian

It turns out that there are a variety of compelling and important reasons why individuals who have never been to the Refuge value the place and I refer you to my UAF Northern Studies MA Thesis to read more about those reasons ("Distance Activism and the Arctic National Wildlife Refuge")

Comment 032626.033

Greg Warren

V1, 4-208, 4.4.5.2 Visitor Use and Recreation, Early Records of Visitor Use, Paragraph 3: The 1977 activities, attitude, and management preference study identified visitor use issues that persist today. Hence, it would be appropriate to describe that visitors in 1977 indicated preferences for the level of encounters with other recreationists and sighting of low flying aircraft, while including management recommendations. Include the following summary of the study in this section: "A descriptive study of activities, attitudes, and management preferences of recreationists was conducted on the Arctic National Wildlife Range. The majority of the sampled Arctic Range recreationists in 1977 were male, between 25 and 44 years old, and college educated. Recreationists were generally very satisfied with their trip. Satisfaction for hunters was associated with hunting success. Developments were generally opposed; general information was desired; and limiting plane landings was the most preferred of three proposed rationing systems. The limiting social factor for hunters was sightings of groups, and the limiting social factor for recreationists not hunting was light-aircraft sightings." (Warren, G.A. 1980. Activities, attitudes and management preferences of visitors of the Arctic National Wildlife Range, Alaska. M.S. Thesis. Univ. of Idaho. 51 pp.)

3.31.18 Visitor Use

Comment 000002.002

Friends of Alaska Wildlife Refuges

Visitor Use Impacts and issues — During the scoping process, the public identified many actions needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge 1988 CCP previously committed the agency to address visitor use issues in future plans, but none was ever undertaken. Significant visitor use impacts and issues should be addressed in this plan.

Comment 136688.001

Unnamed 2

Want to see how many hundreds of people are accessing ANWR and wondered if the Refuge could supply those numbers

Comment 136732.001

Unnamed 6

Difference between Native uses and recreational uses needs to be better defined

Comment 032637.004

Peter Fontaine

-----Preamble/Intro-----

Additionally. the plan must include:

-----Comment-----

The Refuge must be kept as real wilderness - with an emphasis on challenge, exploration, discovery, solitude, self-reliance and adventure, not a highly promoted amusement park. This would mean no easy access or motorized public access, no "improvements", no flight-seeing, no game spotting in planes, no competitive events, and a limit on group size.

Comment 032622.004

Frank & Jennifer Keim

This does not mean that the Refuge be deluged by visitors without regulation of their numbers and whereabouts, especially for commercially guided trips. In the final plan, there should be a commitment to address valid public concerns of visitor use and wilderness stewardship.

Comment 137007.002

Jerry McDonnell

Visitor Use Impacts and issues — During the scoping process, the public identified many actions needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge 1988 CCP previously committed the agency to address visitor use issues in future plans, but none was ever undertaken. Significant visitor use impacts and issues should be addressed in this plan.

Comment 136985.005
Susan Morgan

This draft CCP falls quite short in addressing growing visitor use impact. Wilderness character must be restored along river corridors that have been degraded, such as the Kongakuk. A process to restrict aircraft landing sites and to restore existing impacted areas must be established, and specific areas should be designated where aircraft is not allowed. It is also imperative that the FWS establish zones where commercial services are not allowed; the Agency should limit the number of outfitters permitted in the Refuge. While prohibiting helicopter landing for recreation use is desirable, additional FWS helicopter use in the Refuge should also be limited.

Comment 136804.008
Matt Nolan

User permits. It may be that if additional Refuge funding materializes as proposed, that a user-permit system be implemented. I'm not in favor of anything onerous or anything leads to an approval/denial process for currently supported activities, just something to help with usage statistics for better management practices and ensuring adequate continued management funding. What I have in mind is a simple web-based tool, in which a visitor is funneled through a series of educational web pages that overview the essentials of what every visitor should know (history/philosophy, best camping practices, animal disturbance, legalities, non-permitted activities, etc), at the end of which a permit number is automatically granted; by uniquely tying a permit number to an individual, the individual is accepting responsibility for knowledge and respect of Refuge rules and legalities, and could skip the web pages if he or she wishes. At this time, the user has the choice of indicating their trip dates and locations and intents, but this information is not mandatory. Those users seeking solitude, however, would likely be self-motivated to give this information so to avoid user-interactions. Such a system would track both commercial and non-commercial users in the same way, and take pressure off of guides and air taxis to provide Refuge staff with usage data, they would only be required to list permit numbers for their clients, leaving the data itself up to the client in the application process. And while I'm all in favor of keeping Refuge access as unrestricted and permit-less as possible for everyone, the line between what is commercial and what is noncommercial seems like a very fuzzy one and I don't understand the need for awkward philosophical distinctions when the primary goals of Refuge physical protection are much more clearly defined, observable, and enforceable. But there may be larger issues that I'm unaware that necessitate this need, and here I'm mostly just thinking of small-scale commercial operations like photographers, film makers, scientists, etc. So I advocate for commercial work to be permitted within the Wilderness in the same way as noncommercial work, provided that work does not exceed any privileges open to the public. For example, my opinion is that if a commercial photographer comes to the Wilderness via fixed wing or on foot, he or she should not be required to do anything more than a private individual who takes a tourist photo, if their outward appearances and impacts are the same. Further, the tourist should not at risk for Federal penalty if later they sell one of their photos having not submitted a commercial permit before their trip. If a commercial user seeks to use a helicopter, run a generator, etc, then this of course should go through the MRA process, but the same would apply to a non-commercial party, and this is something that could be flagged in an on-line education/permitting tool and the user directed to appropriate new web pages to start that approval process. So it seems to me that the criteria for allowing/denying an activity should be related to observables like access means, disturbance, group size, etc that are applied to all users, rather than primary intent, which is nearly impossible to define or enforce, as a user may come for one purpose, but leave fulfilling another, and the primary uses identified and supported by Arctic Refuge are so broad that any visitor cannot help but to leave fulfilling at least one of those uses. On the flip side of being fair, it seems to me that any restrictions currently placed on commercial groups should likely be placed on private groups, if these limitations are in the long-term interest of preserving the

Refuge. In any case, the education program the Refuge management advocates is perhaps the most important and useful tool for protecting the land, regardless of permitting issues, these are just some thoughts on combining the two.

Comment 032610.002

Sharon Baur

Visitor Use Impacts and Issues — During the scoping process, the public identified many actions needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge 1988 CCP previously committed the FWS to address visitor use issues in future plans, but none was ever undertaken. Significant visitor use impacts and issues should be addressed in this plan.

Comment 032611.002

AKNWR Friends

Visitor Use Impacts and Issues — During the scoping process, the public identified many actions needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge 1988 CCP previously committed the FWS to address visitor use issues in future plans, but none was ever undertaken. Significant visitor use impacts and issues should be addressed in this plan.

3.32 TOPIC: Refuge CCP

3.32.1 Evaluation and Revision

Comment 032619.007

Cliff Judkins, Chairman

Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

Throughout the plan we observe disparities between management direction in the Arctic Refuge CCP and the established and consistent management direction in other refuges in Alaska. The draft plan offers no basis for this divergence

Comment 136810.006

Paul Krausman, President

The Wildlife Society

-----Preamble/Intro-----

TWS proposes the following recommendations and additions to the CCP:

-----Comment-----

TWS supports the CCP and the inclusion of alternatives E or C, and recommends strengthening the plan with further consultation and collaboration with certified wildlife professionals.

Comment 136736.001

Unnamed 73

When Arctic Refuge writes their management plans, they need to include the importance of cultural and subsistence issues.

Comment 136853.001

Bobby Solomon

You know, it's been 50 years since you've done your CC, whatever it's called, and then you want to do -- and the you say you want to do it for the next 15 years. I don't like that. Fifteen years? Why don't you do it for another 50 years? Why 15? Who picked that number?

3.33 TOPIC: Refuge History

3.33.1 General

Comment 136805.109

Sean Parnell, Governor

State of Alaska

Page 4-1, § 4.1.1 Refuge History, fourth paragraph, first sentence. ANILCA did not double the size of the Refuge and rename it. ANILCA established the Refuge, redesignated the Range as part of the new Refuge, and designated a portion of the former Range as wilderness.

Comment 136805.110

Sean Parnell, Governor

State of Alaska

Page 4-1, § 4.1.1 Refuge History, fifth paragraph. ANILCA Section 303(2)(B) clearly states .the purposes for which the Arctic National Wildlife Refuge is established and shall be managed include.... [Emphasis added] We request .established. replace .reestablished. in the first sentence.

Comment 136805.111

Sean Parnell, Governor

State of Alaska

Page 4-2, § 4.1.1, Refuge History, second full paragraph. ANILCA Section 1002 did not include direction to .review the 1002 area for its suitability for preservation as wilderness. as indicated in this section. ANILCA Section 1004's requirement to evaluate the suitability for preservation as wilderness, only applies to those lands described in Section 1001, which excludes the Arctic Refuge, including the 1002 Area. The wilderness review for the coastal plain was completed as part of the 1002(c) baseline study and 1002(h) report, and the Secretary rejected the alternative that would have recommended the coastal plain for wilderness designation: .Given the existence of extensive lands set aside for wilderness and other preservation purposes in this area and in Alaska, the 1002 area's value as statutory wilderness is not unique. (Page 477, 1988 CCP/EIS) and instead recommended that the entire 1002 Area to be opened for oil and gas leasing. See also page 12, note a/ of the current, 1988 CCP, which states that the wilderness review for the 1002 area can be found on pages 478-83 in the Arctic Refuge Coastal Plain Resource Assessment, Final Report, Baseline study of the fish, wildlife, and their habitats (Vol II (Garner and Reynolds, 1986). The 1002(h) Report also references the conclusions of a wilderness study conducted in the 1970's and states .No further study or public review is needed for the Congress to designate the 1002 area as wilderness.. (Page 103, Alternative E, Wilderness Designation).

Comment 136805.112

Sean Parnell, Governor

State of Alaska

overall the description of the Range's history inappropriately overemphasizes wilderness as a purpose for establishing the Range. Preserving the ability to harvest fish and game and facilitate outdoor recreation also were specifically identified in PLO 2214, which did not prioritize wilderness preservation above wildlife preservation and recreation.

We request this entire section be revised to correct these errors and include the additional relevant information provided.

3.34 TOPIC: Refuge Infrastructure and Administration

3.34.1 Administrative Sites

Comment 032621.006

Karen Jettmar, Wilderness Guide/Director

Equinox Wilderness Expeditions

-----Preamble/Intro-----

Neruokpuk Lakes

-----Comment-----

I recommend removal of any structures (if this has not been done already), and then the area will be completely intact wilderness.

Comment 136801.096

Pamela Miller, Arctic Program Director

Northern Alaska Environmental Center

Sec. 2.4.21.1 Administration Sites and Visitor Facilities

p. 2-71. This section should be modified to prohibit construction of any new buildings for administration, recreational, or commercial use facilities in the Refuge because they are incompatible with the wilderness purpose of the refuge as well as its recreational purpose to support unique type of recreational experience. New permanent Administrative Facilities should not be built on Refuge lands as they are unnecessary and incompatible with the Refuge purposes. Furthermore, per ANILCA Section 1306(a)(2), there is ample opportunity to provide any necessary administrative sites or visitor facilities on adjacent Native lands, preferably within communities if they desire to host the facilities

Comment 136805.128

Sean Parnell, Governor

State of Alaska

Page 4-233, § 4.5 Refuge Infrastructure and Administration. Since Big Ram Lake Field Station is being considered for removal, a photograph of the station in page 4-234 through 4-237 would be useful.

Comment 032627.029

Nicole Whittington-Evans, Alaska Regional Director, TWS

Various Environmental Organizations

Another issue of significant public concern, which has been expressed on numerous occasions over the past 30 years, is the facilities located at Peters Lake. The description found on Pages 4-236 and 4-237, fails to inform readers that these facilities occur within designated Wilderness. The buildings at Peters Lake are out of conformance with the Wilderness. Their removal should be a required action in the Final CCP. Facilities located at Big Ram Lake, built before refuge designation, are also inconsistent with Refuge purposes. The Final CCP should require their removal as well.

Comment 032627.035

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page 2-71 (Administrative Sites and Visitor Facilities): The Final CCP should clearly indicate in the Management Guidelines that the construction or the placement of any new administrative buildings is prohibited in the Refuge.

Comment 032628.020

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Pages 4-236 and 4-237 Another issue of significant public concern, which has been expressed on numerous occasions over the past 30 years, is the facilities located at Peters Lake. The description here, fails to inform readers that these facilities occur within designated Wilderness and the Neruokpuk Lakes Public Natural Area and are inconsistent with the purpose of both land categories. It also exaggerates the 1999 reduction of its footprint by claiming: “ In 1999, the footprint from the original facility was altered and greatly reduced.” In fact approximately 360 square feet were removed in 1999 (including a generator shed, sauna and Quonset hut), leaving some 1128 square feet still in place. The description goes on to inflate the importance of the facility for science, when most of the studies that are listed occurred during a brief period some 50 years ago. In subsequent years it has been a haven for “agency leaders” and VIPs probably more that it has been used for studies. A primary reason that it has not been a haven for the field workers is that its access during the summer field season is limited to float planes, whereas wheel aircraft are largely the predominant form of access in the Refuge during summer. Finally, this description claims that “Lake ice usually lasts well into June,” but fails to mention that due to ice thinning and melting around the edge of the lake it is rarely used by wheel aircraft after June 10. The favorable tone of this description contrasts with that given on Page 2-9 which indicates that actually these facilities are not needed. The buildings at Peters Lake are out of conformance with the designated Wilderness. Their removal should be a required action in the Final CCP. Facilities located at Big Ram Lake, built before refuge designation, are also inconsistent with Refuge purposes. The Final CCP should require their removal as well.

Comment 032628.026

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Page 2-71 (Administrative Sites and Visitor Facilities): The Final CCP should clearly indicate in the Management Guidelines that the construction or the placement of any new administrative buildings in the Refuge are prohibited.

Comment 000017.017

Wilderness Watch - Full

The Administration Sites and Visitor Facilities management guideline should be modified to prohibit construction of any new buildings in the refuge.

Comment 136678.001
Unnamed 20

Refuge headquarters should be based in Kaktovik so that the Refuge has a presence there

Comment 136954.001
Alan Batten

I have ambiguous feelings about the buildings at Lake Peters. On the one hand, I can see that having buildings there could be considered to be inconsistent with the Refuge Vision of maintaining an untamed arctic landscape throughout, and I commented to that effect during public input to the CCP process in the spring of 2010. However, having lived in the Lake Peters cabins in the summer of 1973 I have some affection for them. In the midst of all this wilderness, having one permanent roof might be a good idea for purposes of research, administration and emergency use.

Comment 136807.007
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

18 Administrative buildings should remain in place only where they do not detract from the wilderness character of the land.

Comment 032662.006
David McCargo

The Peters Lake facility has always been an intrusion and should be downsized at the very least and preferably removed for the reasons stated.

Comment 136993.007
Julie RaymondYakoubian

The buildings on Peters and Big Ram Lakes should be removed. This issue needs to be addressed in the alternatives.

Comment 136993.008
Julie RaymondYakoubian

the management guideline for Administration Sites and Visitor Facilities should prohibit construction of any new buildings in the Refuge.

3.34.2 General

Comment 136789.004

**Bob Childers, Executive Director
Gwich'in Steering Committee**

We are concerned that the plan contemplates a very large increase in the Refuge budget, but a decrease in funding may be more realistic. We believe the plan should identify priority activities that address the most important refuge issues, and also those that could be delayed, in the event of a significant decrease in existing funding. Otherwise, we will not know what you plan to really do.

3.34.3 Staffing

Comment 136811.002

**Mark Richards, Co-Chair
Alaska Backcountry Hunters & Anglers**

Many of the comments we received from our members, and others, who visit the refuge, guide or hunt in the Refuge, run a permitted commercial air-taxi/transporter within the Refuge, come back to the fact that that Refuge basically has just one pilot/LEO on staff, and for such a large area this prevents adequate enforcement of existing regulations as well as investigating some of the illegal activities going on within the Refuge, such as unpermitted air-taxi operations.

We recommend that the Refuge fully consider funding an additional law enforcement officer/pilot.

Comment 136679.001

Unnamed 21

Will there be more of an Arctic Refuge presence in the villages? A stationed officer?

Comment 136682.001

Unnamed 24

Could a tribal officer be trained to become a pilot and be an enforcer agent with Arctic Refuge? This person could be a year-round agent in Kaktovik. Can hire from a tribal entity to establish a network of enforcement.

Comment 136878.001

Unnamed 28

Thousands of Dollars are poured into Non-natives to study Natives. Why aren't we hired? Why isn't anybody here hired to check what's going on a Red Sheep Creek? We should get paid for studies about local wildlife, natives, etc. There should be a vocational program going on to recruit people.

Comment 136883.001
Unnamed 32

We need local people to be employed by FWS. Today I am introduced to people who are foreign to my traditional values.

Comment 136893.001
Unnamed 41

Hire a native subsistence coordinator (in place of current employee).

Comment 136730.001
Unnamed 68

Would encourage the hiring of subsistence advisers who could help the Refuge to minimize conflicts with subsistence users

Comment 032661.001
James Gideon

Wildlife management has been within the Dept. of Interior and come a long way.-To me I heard Tribal Consultation and Input many times over. One of my notice is that no Alaska native or True subsistence use being employed by wildlife Refuge-Today I am introduced to people that are foreign to my traditional value. So my big question is why have people who are knowledgeable in Traditional Lifestyles. Many years ago in area education Tribe seek Native teacher today we have many of them in our school district. In Fish and Wildlife should be the same. There is something wrong.

Comment 032662.001
David McCargo

With drastic budget cuts on the horizon, Refuge planners should presume that they will have significantly less resources. Many of the scenarios will not occur given their associated manpower and expense requirements. While the Service has many more mandated responsibilities since then, the Refuge was managed nicely once upon- a-time by a Refuge Manager, and Assistant Manager, and a Maintenance Man.

Real wilderness does not need much if any management. It is a paradox that conservation agencies require increasing resources to manage less. The biggest problem for the Refuge will be that even if the status quo is maintained it will have a harder and more costly time of prohibiting incompatible uses. This argues for not allowing them in the first place, and preserving the wilderness character of the Refuge with minimal management. Having less money all around may be a good thing because it will limit the amount of mischief-making.

Comment 136912.005
Edward Sam

Edward said the Refuge's Subsistence Coordinator position, such as the one Vince Mathew's is in, needs to be a Native person. A Native person with local knowledge of resources and traditions for

this area. Needs to be a Native person helping other Native people. The FWS need more local Native people working for the agency.

Comment 136912.001
Edward Sam

-----Preamble/Intro-----

Said that Arctic Village people have worked for 13 years to keep Red Sheep Creek and Cane Creek closed to nonlocal residents. We have now lost that closure and nonlocal people can come in the hunt in those areas. Said he does not trust the government, they change managers and change policies, and subsistence users lose.

-----Comment-----

why the FWS can't hire one person from the community to work with the agency to help protect and manage the Red Sheep and Cane Creek areas. He mentioned the Lacey Act as a means of agency – tribal cooperation.

Comment 136910.002
Unknown Unknown

A younger Native man asked why can't Arctic Village people be hired to work with the FWS and to assist with wildlife studies. Local people need jobs and could help with monitoring and research needs on the refuge. Said they need a vocational program to help younger people to enter job market, get work with the FWS.

3.34.4 Visitor Facilities

Comment 032675.015
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The original CCP stated that the Service has no plans for constructing or designating new public use cabins, but at least acknowledged that cabins may be constructed or designated if necessary for refuge management and or public health and safety. The DCCP (pg. 2- 64) states that public use cabins will not be placed on the refuge, with no mention of the public health and safety issue.

ANILCA 1315(d) states that within wilderness areas the Secretary of the Interior is:
"authorized to construct and maintain a limited number of new public use cabins and shelters if such cabins and shelters are necessary for the protection of the public health and safety. All such cabins and shelters shall be constructed of materials which blend and are compatible with the immediate and surrounding wilderness landscape. "

The Revised CCP and Record of Decision should allow either the designation of existing cabins or construction of new cabins for public use in the non-wilderness portions of the refuge. Consistent with ANILCA Section 1315(d), the need for public use cabins or shelters for public health and safety purposes within the designated wilderness portion of the refuge should be allowed under whatever alternative is implemented. There is a significant segment of the public that considers public use cabins within conservation system units, including the Arctic Refuge, as both appropriate and desirable.

Comment 136837.001
Unnamed 1

What would the cost be of a permit for temporary facilities? How long would it be good for?

Comment 136680.001
Unnamed 22

There could be a visitor center in Kaktovik, a Native museum similar to the one in Barrow

Comment 136839.001
Unnamed 3

How do we define temporary facilities?

3.35 TOPIC: Refuge Management Policies/Guidelines

3.35.1 Appropriate Refuge Use

Comment 000026.002

Alaska Wilderness League - Form Letter

Oil and gas leasing, exploration, development and production, including seismic and any support infrastructure or activities, have no place in the Arctic Refuge and should continue to be prohibited by law as well as in refuge management policies.

Comment 000028.002

Change.org - Greenpeace

Oil and gas leasing, exploration, development and production, including seismic and any support infrastructure or activities, have no place in the Arctic Refuge and should continue to be prohibited by law as well as in refuge management policies.

Comment 032617.004

Don Young, Congressman

Congress of the United States, House of Representatives

Non-wilderness areas of ANWR were set aside for multiple uses and should remain managed in such capacity. It has become clear the FWS is picking and choosing what laws it follows and this is an injustice to the American people and the State of Alaska.

Comment 000027.002

Greenpeace - Alert

Oil and gas leasing, exploration, development and production, including seismic and any support infrastructure or activities, have no place in the Arctic Refuge and should continue to be prohibited by law as well as in refuge management policies.

Comment 000023.002

Greenpeace - Email

Oil and gas leasing, exploration, development and production, including seismic and any support infrastructure or activities, have no place in the Arctic Refuge and should continue to be prohibited by law as well as in refuge management policies.

Comment 136801.063
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.5 Appropriate Refuge Uses

p. 2-40. We have concerns about some of the existing and proposed activities that the CCP lists as Appropriate Uses and for which compatibility determinations were drafted for public review in Appx G.

3.35.2 Coastal Zone Consistency

Comment 136820.023
Cindy Shogan, Executive Director
Alaska Wilderness League

The CCP needs to address the fact that the Alaska Coastal Management Program ended in 2011 in the discussion on Coastal Zone Consistency (Sec. 2.4.8, DEIS at 2-42). This is of particular concern because there is no longer the ACMP mechanism for community standards and review of activities resulting from the state's Beaufort Sea Area-wide Leasing Program in the 3-mile zone immediately offshore the refuge. There will be less scrutiny and lack of a comprehensive mechanism for public review and comment regarding impacts from oil and gas activities on refuge fish and wildlife resources that rely on those nearshore waters, and noise, spills, and other impacts that can degrade and harm refuge habitats, wildlife, subsistence resources and uses, wild lands recreation, and wilderness values due to the absence of this program.

Comment 136801.067
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.8. Coastal Zone Consistency

p. 2-42. The CCP needs to address the fact that the Alaska Coastal Management Program ended in 2011 in this section, and it is suggested that this section instead be entitled Coastal Zone Management to address how the federal government plans to manage the coastal zone and whether there are other applicable tools of the federal Coastal Zone Management Act. The final EIS should also describe the impacts loss of this program, including its coordination and cooperation functions, and the program's enforceable standards may have on the Arctic Refuge fish, wildlife, subsistence, recreation, and wilderness values.

We are concerned because there is no longer the ACMP mechanism for community standards and review of activities resulting from the state's Beaufort Sea Area-wide Leasing Program in the 3-mile zone immediately offshore the refuge and on State lands along refuge's western boundary. There will be less scrutiny and lack of comprehensive mechanism for public review and comment due to the absence of this program regarding impacts from oil and gas activities on refuge fish and wildlife resources that rely on those nearshore waters, and noise, spills, and other impacts that can degrade and harm refuge habitats, wildlife, subsistence resources and uses, wild lands recreation, and wilderness values.

Comment 137014.019
Dan Ritzman, Alaska Program Director
Sierra Club

The CCP needs to address the fact that the Alaska Coastal Management Program ended in 2011 in the discussion on Coastal Zone Consistency (Sec. 2.4.8, DEIS at 2-42). This is of particular concern because there is no longer the ACMP mechanism for community standards and review of activities resulting from the state's Beaufort Sea Areawide Leasing Program in the 3-mile zone immediately offshore the refuge. There will be less scrutiny and lack of comprehensive mechanism for public review and comment due to the absence of this program regarding impacts from oil and gas activities on refuge fish and wildlife resources that rely on those nearshore waters, and noise, spills, and other impacts that can degrade and harm refuge habitats, wildlife, subsistence resources and uses, wild lands recreation, and wilderness values.

Comment 136805.075
Sean Parnell, Governor
State of Alaska

Page 2-42, § 2.4.8, Coastal Zone Consistency. The Alaska Coastal Management Program no longer exists. This section should be deleted and we further recommend a word search to remove any other references to the Program.

3.35.3 Commercial Uses (non-recreation)

Comment 136801.094
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-69. This section should be corrected because these activities are incompatible with the refuge purposes; instead of saying that these are "generally... not allowed," should instead state that grazing, agriculture, and hydroelectric power development will be prohibited. Because Moderate and Intensive Management categories are not present or appropriate on the Arctic Refuge there should be no exceptions; the CCP should be corrected by deletion of the second and third sentences in this section.

Comment 136801.092
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.4.18.3 Commercial Fishing and Related Facilities

-----Comment-----

p. 2-67. This section should the North Pacific Fisheries Management Council's 2009 establishment of a moratoria on commercial fishing from the Bering Strait north?encompassing the Chukchi Sea and the Beaufort Sea to the Maritime Boundary with Canada? as a precautionary measure in light of climate change.

Comment 136801.093
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.4.18.3 Commercial Fishing and Related Facilities

-----Comment-----

The discussion of support facilities for aquaculture and mariculture should be deleted because Intensive Management is not a compatible category for the Arctic Refuge, as discussed above. Furthermore, these activities are not present anywhere on the Beaufort Sea coast.

Comment 136805.094
Sean Parnell, Governor
State of Alaska

Page 2-66, § 2.4.18.2 Mineral Exploration and Development, first paragraph, second sentence. This sentence is incorrect. Section 1002(i) of ANILCA withdraws the coastal plain from operation of the mineral leasing laws. In accordance with the requirements of ANILCA § 1002(d); however, the regulations at 50 CFR part 37 establish guidelines governing the carrying out of exploratory activities. 50 CFR § 37.11(d) prohibits drilling of exploratory wells in the 1002 area, but other exploratory activities in the 1002 area are not prohibited by the regulation. The preamble to the rule clarifies this, stating that "[t]he p[rohibition] in 37.11(d) against the drilling of exploratory wells is not intended to prevent drilling operations necessary for placing explosive charges, where authorized pursuant to an approved exploration plan and special use permit, for seismic exploration.. 48 FR 16838, 16841 (Apr. 19, 1983).

Comment 136805.095
Sean Parnell, Governor
State of Alaska

Page 2-67, § 2.4.18.2 Mineral Exploration and Development, third paragraph. This discussion fails to acknowledge the requirement in ANILCA 304(g)(2)(D) that Refuge CCPs consider present and potential requirements for access to the Refuge as provided for in Title XI of ANILCA, which includes oil and gas production infrastructure.

3.35.4 Commercial Uses (recreation)

Comment 136805.092
Sean Parnell, Governor
State of Alaska

Page 2-66, § 2.4.18.1 Commercial Recreation Services. As the draft CCP acknowledges, most visitors arrive to the Refuge by air or water taxi. The State fully supports this responsible use and requests that if the Service proposes to restrict commercial operators in the future, the CCP clarify that the Service will commit to an open public process so that the public will have an opportunity to provide input on proposed management decisions that could affect their ability to access the refuge.

Comment 136805.093
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-66, § 2.4.18.1 Commercial Recreation Services

-----Comment-----

the Alaska Department of Fish and Game is responsible for the sustainability of fish and wildlife on all lands in Alaska and utilizes emergency orders to protect that sustainability when necessary. In addition to allocating fish and wildlife among all user groups, the Alaska Boards of Fisheries and Game provide a subsistence preference on all lands and can address both direct and indirect effects on fish and wildlife. The Federal Subsistence Board assures a priority opportunity for subsistence use among consumptive uses of fish and wildlife by rural residents on federal lands. At times, the state and federal Boards work together to address issues of mutual concern. Any unilateral attempts by the Service to minimize user conflicts, based solely on allocation concerns, would circumvent these existing regulatory processes. We therefore request the Service recognize these existing authorities and processes during the development of Plan.

3.35.5 Compatibility Determinations (includes Appendix G)

Comment 136820.014
Cindy Shogan, Executive Director
Alaska Wilderness League

The Service needs to provide full information about the state's activities for management and research in the CCP in order to provide a comprehensive assessment of all the activities that are done within the refuge, including within its designated wilderness. We are concerned about the lack of specificity and lack of analysis for a whole range of activities not being subject to a compatibility determination, as mentioned here:

“All management and research activities conducted by ADFG under a specific cooperative agreement with the Service to fulfill one or more purposes of the Refuge or the Refuge System mission are not subject to a compatibility determination.”

It appears that an inappropriate grandfathering of the State of Alaska's management and research activities within the refuge is being done based on reliance of the 1982 MOU between the Service and ADFG (DEIS at G-6):

“A compatibility determination is not required for State activities on lands in the Refuge where a pre-established agreement or memorandum of understanding is in place. Refuge staff will monitor State activities in the Refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, would be needed to ensure State activities remain compatible with Refuge purposes and in compliance with established agreements.”

Therefore, we recommend that all State of Alaska management and research activities be addressed specifically in the DEIS, including their geographic extent, frequency, and how they intersect with the Service's own management and research programs. Furthermore, they should be considered along with other permitted inventory, monitoring, and research programs by other agencies or Universities so that a comprehensive assessment of these activities as they support wildlife management decisions can be made.

Comment 136820.020
Cindy Shogan, Executive Director
Alaska Wilderness League

We find that further review is needed for the Commercial Shore-fast Sea Ice Access activity (pp. G-57 to G-63) and that a far narrower description of the activity allowed is needed for it to be considered an appropriate use. There is insufficient information and analysis in the DEIS about this existing activity upon which to base this draft Compatibility Determination, including types of vehicles deployed, frequency, exact geographic scope, number and timing of trips, past history of activities including any spills, and other factors.

The DEIS fails to include any description or environmental analysis of this Commercial Use activity except in this draft Compatibility Determination. It does not include any description of this type of transportation activity in the Affected Environment section on transportation (Sec. 4.4.2), or Kaktovik (p. 4-136), nor was any analysis provided in the Environmental Consequences section.

While this access may be necessary to support delivery of goods to the local community, in addition to aircraft and barge deliveries, the draft Compatibility Determination as written does not confine it to those activities. The draft Compatibility Determination needs to narrow its provisions to ensure that is not used for activities that are prohibited in the Refuge, including any industrial activities such as support for offshore oil and gas exploration or development.

This activity would be occurring on sea ice in designated Critical Habitat for polar bears at a time when bears are denning, and therefore environmental impact analysis of this activity in the DEIS is necessary because it could result in pollution and disturbance of this habitat within the refuge. Although the draft Compatibility Determination states that Endangered Species Act Section 7 and Marine Mammal Protection Act consultations will be required, they are not contained within this DEIS, and therefore, the draft Compatibility Determination should not be approved without incorporation of such analysis within the EIS.

There are a number of other unanswered questions pertaining to this issue including: Does this commercial access include travel on sea ice within designated Wilderness in the eastern coast of the Refuge adjacent to Canada? How is climate change affecting the reliability of sea ice travel? How often do these haulers end up travelling on land? How often has this been due to emergency conditions when there is open water? How often are these vehicles hauling fuel?

Finally, we recommend that if this activity is found to be appropriate, that any permits should clearly prohibit travel on land, including barrier islands, and require live GPS data of the routes from the vehicles so that their routes during the trip may be accurately tracked to minimize impacts and to ensure compliance on a real-time basis.

Comment 136789.002
Bob Childers, Executive Director
Gwich'in Steering Committee

One good example is the Draft Compatibility Determination for Subsistence Harvest of House Logs (p. G99-G105,) which also applies to firewood in some cases, apparently. These guidelines are overly specific and not practical or helpful for someone who knows the country. Different stands of trees vary from place to place, and every site is different up here. The rules you propose are too prescriptive for the environment, and the proposed system of permits and reports are entirely unnecessary and inappropriate for the culture you seek to impose them on. In some cases refuge rules are more damaging to the environment than traditional practices. A Gwich'in looking for

several logs for firewood would go upriver by snowmachine until he found trees on an undercut bank that would wash away in Spring anyway, and take those. FWS regulations would have him go up the river somewhere, then up the bank and make a trail back 50 feet to cut perfectly good trees with a long life ahead of them. It is more dangerous, more damaging to the environment and harder on the machine. That is not the way we do things.

We advise you can simply trust the people who are cutting wood to know what they are doing. We have watched the trees here for many generations. We see our forefathers' stone-axe cut stumps throughout the forest, but there is no problem. We might not do it exactly like the person who wrote these proposed regulations, but we will do as good or better job that pays attention to the particular place we are. We won't take any more trees, or fewer trees, than we would anyway. We will do it respectfully for the trees and the land, and there is no need to know exactly where they came from.

This move to greater co-operation in subsistence management is needed to avoid unnecessary misunderstandings and conflicts. It will not change anything we do on-the-ground, and it will save you some money.

Comment 136801.014

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

It is not clear how this plan is addressing the fundamental issues surrounding the “Master Memorandum of Understanding” signed March 13, 1982, including its compatibility with refuge purposes. The Service needs to provide full information about the state’s activities for management and research in the CCP in order to provide a comprehensive assessment of all the activities that are done within the refuge, including within its designated wilderness. We are concerned about the lack of specificity and lack of analysis for a whole range of activities not being subject to a compatibility determination, as mentioned here:

“All management and research activities conducted by ADFG under a specific cooperative agreement with the Service to fulfill one or more purposes of the Refuge or the Refuge System mission are not subject to a compatibility determination.”

It appears that an inappropriate grandfathering in of the state’s management and research activities within the refuge without a full and proper compatibility analysis is being done based on reliance of the 1982 MOU between the Service and ADF&G (see Appendix G, p. G-6):

“A compatibility determination is not required for State activities on lands in the Refuge where a pre-established agreement or memorandum of understanding is in place. Refuge staff will monitor State activities in the Refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, would be needed to ensure State activities remain compatible with Refuge purposes and in compliance with established agreements.”

Comment 136801.066

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-40. Commercial Shore-fast Sea Ice Access. Further review is needed for the activity (pp. G-57 to G-63) and that a far narrower description of the activity allowed is needed in order that it could be considered an appropriate use.

There is insufficient information and analysis in the DEIS about the existing activity for commercial sea-fast sea ice access upon which to base this draft Compatibility Determination, including types of

vehicles deployed, frequency, exact geographic scope, number and timing of trips, past history of activities including any spills, and other factors.

The DEIS fails to include any description or environmental analysis of this Commercial Use activity except in this draft Compatibility Determination. It does not include any description of this type of transportation activity in the Affected Environment section on transportation (Sec. 4.4.2), or Kaktovik (p. 4-136), nor was any analysis provided in the Environmental Consequences section.

While this access may be necessary to support delivery of goods to the local community, in addition to aircraft and barge deliveries, the draft compatibility determination as written does not confine it to those activities. The draft Compatibility Determination needs to narrow its provisions to ensure that is not used for activities that are prohibited in the refuge, including any industrial activities such as support for offshore oil and gas exploration or development.

This activity would be occurring on sea ice in designated Critical Habitat for polar bears at a time when bears are denning, and therefore environmental impact analysis of this activity in the DEIS is necessary because it could result in pollution and disturbance of this habitat within the refuge. Although the draft Compatibility Determination states that Endangered Species Act Section 7 and Marine Mammal Protection Act consultations will be required, they are not contained within this DEIS, and therefore, the draft Compatibility Determination should not be approved without incorporation of such analysis within the EIS.

Does this commercial access include travel sea ice within designated Wilderness in the eastern coast of the Refuge adjacent to Canada? How is climate change affecting the reliability of sea ice travel? How often do these haulers end up travelling on land? How often has this been due to emergency conditions when there is open water? How often are these vehicles hauling fuel?

Finally, we recommend that if this activity is found to be appropriate, that any permits should clearly prohibit travel on land, including barrier islands, and require live GPS data of the routes from the vehicles so that their routes during the trip may be accurately tracked to minimize impacts and to ensure compliance on a real-time basis.

Comment 136801.122
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Because these draft compatibility determinations could apply to myriad activities conducted across the refuge over the next 15 years, for which numbers, locations, timing, and other factors are not fully provided, it is extremely important that a hard look be given to the appropriateness of each one and their compatibility when the cumulative nature of the activities for each type as well as when their combined impacts across all types are considered. Some of these draft compatibility determinations, such as the Commercial Shore-Fast Sea Ice Access, need substantial changes including the description of the activity so that it does not apply to oil and gas activities that are prohibited in the refuge, and further environmental analysis in order to be found compatible with the purposes of the refuge. Please consider our detailed comments above, especially on Sec. 2.4.5 Appropriate Refuge Uses.

Comment 137014.010
Dan Ritzman, Alaska Program Director
Sierra Club

The State of Alaska manages game populations according to the Intensive Management (“IM”) statute, which manages game for high levels of human harvest. [13] The IM statute allows for predator control activities, which are patently inconsistent with the Service’s mission and federal law, as well as the purposes of the Arctic Refuge — which includes the conservation of “fish and wildlife populations and habitats in their natural diversity.” [14] Thus, intensive management and predator control actions are inappropriate in the Arctic Refuge. To ensure clarity to and to dissuade any attempts by the State of Alaska to pursue IM programs on Refuge lands, the CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations to enhance game populations for human harvest and the use of predator control for this purpose should be prohibited in any form.

the Draft CCP, however, suggests that FWS should consider clearly incompatible Alaska actions on a case-by-case basis: “[s]eparate refuge compatibility determinations addressing specific proposals will be required for State management activities that propose predator management, fish and wildlife control...or any other unpermitted activity that could alter ecosystems” of refuges in Alaska. [15] FWS need not and should not initiate a compatibility determination or NEPA process to evaluate State-sponsored predator control in Arctic Refuge. Instead, the FWS should incorporate language into the CCP and the draft Compatibility Determinations clearly stating that any regulation or plan — including the use of predator control— which conflicts with federal law or policy and the purposes of the Arctic Refuge will be preempted in the Refuge.

Comment 137014.011
Dan Ritzman, Alaska Program Director
Sierra Club

The Service needs to provide full information about the state’s activities for management and research in the CCP in order to provide a comprehensive assessment of all the activities that are done within the refuge, including within its designated wilderness. We are concerned about the lack of specificity and lack of analysis for a whole range of activities not being subject to a compatibility determination, as mentioned here:

“All management and research activities conducted by ADFG under a specific cooperative agreement with the Service to fulfill one or more purposes of the Refuge or the Refuge System mission are not subject to a compatibility determination.”

It appears that an inappropriate grandfathering of the State of Alaska’s management and research activities within the refuge is being done based on reliance of the 1982 MOU between the Service and ADF&G (DEIS at G-6):

“A compatibility determination is not required for State activities on lands in the Refuge where a pre-established agreement or memorandum of understanding is in place. Refuge staff will monitor State activities in the Refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, would be needed to ensure State activities remain compatible with Refuge purposes and in compliance with established agreements.”

Therefore, we recommend that all State of Alaska management and research activities be addressed specifically in the DEIS, including their geographic extent, frequency, and how they intersect with the Service’s own management and research programs. Furthermore, they should be considered along with other permitted inventory, monitoring, and research programs by other agencies or Universities so that a comprehensive assessment of these activities as they support wildlife management decisions can be made.

Comment 137014.016
Dan Ritzman, Alaska Program Director
Sierra Club

We find that further review is needed for the Commercial Shore-fast Sea Ice Access activity (pp. G-57 to G-63) and that a far narrower description of the activity allowed is needed for it to be considered an appropriate use. There is insufficient information and analysis in the DEIS about this existing activity upon which to base this draft Compatibility Determination, including types of vehicles deployed, frequency, exact geographic scope, number and timing of trips, past history of activities including any spills, and other factors.

The DEIS fails to include any description or environmental analysis of this Commercial Use activity except in this draft Compatibility Determination. It does not include any description of this type of transportation activity in the Affected Environment section on transportation (Sec. 4.4.2), or Kaktovik (p. 4-136), nor was any analysis provided in the Environmental Consequences section.

While this access may be necessary to support delivery of goods to the local community, in addition to aircraft and barge deliveries, the draft compatibility determination as written does not confine it to those activities. The draft Compatibility Determination needs to narrow its provisions to ensure that is not used for activities that are prohibited in the refuge, including any industrial activities such as support for offshore oil and gas exploration or development.

This activity would be occurring on sea ice in designated Critical Habitat for polar bears at a time when bears are denning, and therefore environmental impact analysis of this activity in the DEIS is necessary because it could result in pollution and disturbance of this habitat within the refuge. Although the draft Compatibility Determination states that Endangered Species Act Section 7 and Marine Mammal Protection Act consultations will be required, they are not contained within this DEIS, and therefore, the draft Compatibility Determination should not be approved without incorporation of such analysis within the EIS.

Does this commercial access include travel sea ice within designated Wilderness in the eastern coast of the Refuge adjacent to Canada? How is climate change affecting the reliability of sea ice travel? How often do these haulers end up travelling on land? How often has this been due to emergency conditions when there is open water? How often are these vehicles hauling fuel?

Finally, we recommend that if this activity is found to be appropriate, that any permits should clearly prohibit travel on land, including barrier islands, and require live GPS data of the routes from the vehicles so that their routes during the trip may be accurately tracked to minimize impacts and to ensure compliance on a real-time basis.

Comment 032628.030
Fran Mauer, Alaska Chapter
Wilderness Watch

The Draft CCP (Page 2-44) states: "The Service does not require refuge compatibility determinations for State wildlife management activities on a national wildlife refuge pursuant to a cooperative agreement between the State and the Service where the refuge manager has made a written determination that such activities support fulfilling the refuge purposes or the Refuge System mission." We are concerned that by this statement the Service is waiving its responsibility to conduct a thorough compatibility determination which would require public information and input. We further advise that in the case of designated Wilderness, the State:Federal Memorandum of Understanding (1982) does not specifically reference the Wilderness Act and its purposes. The Final

CCP should clarify that Wilderness Act purposes and prohibitions are also required to be met before there is any sanctioning of State wildlife management activities. Page G-5 states: "All management and research activities conducted by ADFG under specific cooperative agreement with the Service to fulfill one or more purposes of the Refuge or the Refuge System mission are not subject to a compatibility determination." The Final CCP should provide a complete description of State management and research activities within the Refuge and its designated Wilderness. This information should be presented along with research and management programs of the Service as well as activities of other entities such as University researchers and other. The full range of management and research activities needs to be presented so that the public is properly informed and can determine if these actions may be subject to compatibility determinations and other proper authorizations under the law.

Comment 032628.031
Fran Mauer, Alaska Chapter
Wilderness Watch

Information provided in several determinations confirms use levels or conditions which suggest that adequate measures to maintain compatibility with Refuge purposes and Wilderness Act are not being met. For example: Page G-10 acknowledges that damage to vegetated surfaces from aircraft landings has been reported (see our comments above for Pages 4-215, 4-216 and others), and states that "we can limit where commercial operators can land." However the "Stipulations Necessary to Ensure Compatibility" that are provided only include such a restriction for the Kongakut River. Extensive public comments provided to the Service over many years have identified damaged vegetation in several areas of the Refuge other than the Kongakut. Yet there have been no other such restrictions established. Text on this page goes on to recognize that "These are emerging" issues that need to be monitored." These issues are not just "emerging," they have actually existed for several years. More monitoring alone will not stop the expansion of damage. Pages G-20, G-39 also include the "emerging issues" and "need to be monitored" statements indicating that action to prevent damage or problems is not being taken.

On Page G-9 it is recognized that: "There is currently no limit on the number of trips or clients permitters can take to the Refuge, nor is there a limit to the number of commercial air operators permitted to operate on the Refuge." The determination for Commercial Recreational Guide Services does not even mention that there is currently no limit on the number of recreation guides that are permitted to operate on the Refuge. Issues such as crowding, and human waste are acknowledged, on Page G-40 but are only relegated to "monitoring and assessment." We believe that several compatibility determinations fail to adequately analyze how this situation is consistent with preserving wilderness character according to Section 4b of the Wilderness Act. We question the legitimacy of these compatibility determinations.

Comment 136813.006
Allen Smith

Not all uses are compatible with Arctic Refuge purposes and the draft blanket Compatibility Determinations detailed in Appendix G do not take that into account nor do they take into account the needs for the re-evaluation of existing uses that are now quite possibly beyond the limits of compatibility. While detailed in many ways, particularly for stipulations, Appendix G is not site specific and project specific enough to show where or to what extent an activity or use would take place on the Refuge.

For example, the draft Compatibility Determinations in Appendix G for commercial services for air transportation, big-game hunting guides, recreational fishing guides, and recreational guides all suggest use levels that are not controlled or limited by USFWS. For instance, Under the Compatibility Determination for Commercial Air Transportation Services, Appendix G states, “There is currently no limit to the number of trips or clients permittees can take to the Refuge, nor is there a limit to the number of commercial air operators permitted to operate on the Refuge.” For hunting and fishing guide services, the State of Alaska is managing the take under its goals for “maximum sustained yield,” not the goals of USFWS. For recreational guides there is no limit other than the permit. Similarly, the draft Compatibility Determination for scientific research on the Refuge is also flawed by a lack of specificity in describing its scope of uses as: “This compatibility determination addresses the wide variety of research activities that have historically occurred or may occur on the land now comprising Arctic Refuge.” Is this scientific research compatibility determination process how USFWS allowed NASA to drop rockets into the Arctic Refuge from Poker Flats?

All of these uses should come under limits and use exclusions to be established by the step-down “use management plans” identified in Chapter 6 Implementation and Monitoring. However, there are two serious problems with USFWS’s current approach to this: (1) all of those step-down plans identified in Chapter 6 are currently a long way off in their completion and (2) Compatibility Determinations are only reviewed and updated every ten years. This decade-long time lag leaves the Refuge vulnerable to these permitted uses causing serious impacts to its wilderness character and to the wildlife protected by its first purpose before those uses are re-evaluated and limited. This is an inadequate, if not legally challenged approach and should be changed to be more specific, timely, and allow separate public comment on specific Compatibility Determinations.

Comment 032626.055
Greg Warren

V2, G-1 Alaska Department of Fish and Game Regulations: The CCP must include an adequate compatibility determination that addresses the application of the State’s management programs as applied through State regulations (or predator control) on the Refuge area. Policy 603 FW 1.10-B states, “when compatible, the take of fish and wildlife under State regulations is a refuge use;” this clearly indicates that a compatibility determination is required. The determination should address these questions: Are the ADFG goals and objectives for fish and wildlife management consistent with principles of sound fish and wildlife and administration, available science and resources, and the Arctic Refuge purposes? Is there the potential that allowed bag limits are materially interfering with or detracting from the fulfillment of the purposes of the Refuge? Does the Refuge have adequate regulatory mechanisms in place to insure that the Refuge’s fish and wildlife management objectives are not circumvented by ADFG harvest regulations?

Comment 032626.056
Greg Warren

V2, G-1 General, Appendix G: The compatibility determinations need to be regrouped to reflect Refuge use. I recommend combining all recreational use, including hunting and fishing and wildlife observation, into one compatibility determination titled, “Visitor Use.” I also recommend combining fishing, hunting, and trapping into another compatibility determination titled, “Fish and Wildlife Harvest Programs.” The rationale is that 97 percent of the recreational use 1977 was wildlife dependent—see M.S Thesis referenced previously. I am not aware of any new data that would indicate a change in activities. The visitor use assessment would focus on recreational use, vegetation, and water issues. The fish and wildlife harvest assessment would focus on the biological

effects of the wildlife management activities that are implemented through State regulations as related to the Refuge purposes.

Comment 032626.057
Greg Warren

All compatibility determinations need to reference and utilize the draft 2011 CCP and DEIS Proposed Action and not the 1988 CCP (no action alternative).

Comment 032626.061
Greg Warren

V2, G-5 State of Alaska Management Activities, Description of Use: To be clear, state that this compatibility determination does not address ADFG fish and wildlife regulations and the associated fish and wildlife harvests on the Refuge. Describe that the State wildlife management activities on the Refuge pursuant to a cooperative agreement between the State and the Fish and Wildlife Service does not include fishing and hunting “population management” programs being implemented through ADFG fishing and hunting regulations (603 FW 2.10-A).

Comment 032626.062
Greg Warren

V2, G-80 thru 85 General Hunting: The section “Anticipated Impacts of Uses” does not adequately address impacts to wildlife populations. The narrative states, “the Refuge is directly involved in review and implementation of regulatory process and administrative oversight of general hunting. Because of combined regulatory and law enforcement efforts of the State and Refuge personnel, direct impact from general hunting under existing management should have minimal impacts to fish and wildlife resources, other Refuge resources, or other Refuge users.” The description of “minimal impacts” is not supported by the analysis in the draft documents of the hunting effects on fish and wildlife populations. To the contrary, the draft CCP and DEIS identify existing programs that would have a high potential of impacts to some populations (e.g., wolf). The Mammal-Related Management Issue section (4-119, 4.3.7.4) reads as if the Arctic Refuge was established for the purposes of increasing the abundance of certain game populations for human consumption. The lack of Refuge biologists is also a major concern.

The justification now states, “To ensure sustainability of harvest of local residents, the State Board of Game and the Federal Subsistence Board regularly adopt regulations in response to wildlife population levels and management needs. These regulations provide adequate protection for the Refuge’s wildlife resources and continued hunting opportunities, in balance with other Refuge purposes....” Instead, the description of use should state that the Alaska’s fish and wildlife management programs as implemented through hunting regulations are incompatible with Refuge wildlife objectives. The impacts of the State’s direction could substantially affect fish and wildlife populations. The justification should be modified to reflect the CCP DEIS proposed action effects analysis, current ADFG regulations, and Refuge management practices, including the issuance of commercial permits.

I believe that the information that I perused in my review of the draft CCP and DEIS indicates that hunting of some species, as prescribed through ADFG regulations, might materially interfere with and detract from the purposes for which the Refuge was created, including Wilderness Act purposes and fulfillment of the mission of the Refuge System.

The following is not a determination choice, but I believe that the determination should indicate “not enough information” to determine compatibility.

Comment 032626.023
Greg Warren

-----Preamble/Intro-----
V1, 3-1, 3 Proposed Action:
-----Comment-----

I was expecting the compatibility determinations would utilize the Proposed Action as opposed to the no action alternative (i.e., the 1988 CCP) as the basis of the assessments in Appendix G. The CCP needs to clarify the basis of the compatibility determines explaining the rationale if the outdated 1988 direction is used.

Comment 032626.058
Greg Warren

-----Preamble/Intro-----
I recommend that the following stipulations be added to the Refuge determinations, as appropriate:
-----Comment-----

* Food and gear caches are not allowed in Wilderness,

Comment 032626.059
Greg Warren

-----Preamble/Intro-----
I recommend that the following stipulations be added to the Refuge determinations, as appropriate:
-----Comment-----

* Aircraft must have 12 inch identifications numbers in contrasting colors which are readily visible while flying and on the ground

Comment 032626.060
Greg Warren

-----Preamble/Intro-----
I recommend that the following stipulations be added to the Refuge determinations, as appropriate:
-----Comment-----

Determinations should specify that they would be re-evaluated as part of Wilderness, Wild and Scenic Rivers, Wildlife Population, and Visitor Use Management Plans.

3.35.6 Cooperation and Coordination with Others

Comment 137013.012
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-45 Service Jurisdiction over Waters in Arctic Refuge. “Where water bodies are non-navigable in the Refuge boundaries, the Service has management authority over most activities on water where adjacent uplands are federally owned.” What activities does the Service not have management authority over?

“Where State of Alaska lands exist beneath navigable water bodies or where the State, a Native corporation, or a Native allottee owns the adjacent uplands with the Refuge boundaries where the withdrawal process started after statehood, the Service’s management authority is more limited.”

What does the Service’s limited authority consist of?

What uses and activities allowed under state laws can take place on non-wilderness Refuge rivers determined to be navigable?

What state-authorized uses and activities on the waters and submerged lands of the Wind and Ivishak Wild Rivers can the Service regulate if the two rivers are subject to a state challenge over navigability and the rivers are determined to be navigable?

Comment 136820.013

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The State of Alaska manages game populations according to the Intensive Management (“IM”) statute, which manages game for high levels of human harvest.[14] The IM statute allows for predator control activities, which are patently inconsistent with the Service’s mission and federal law, as well as the purposes of the Arctic Refuge — which includes the conservation of “fish and wildlife populations and habitats in their natural diversity.”[15] Thus, intensive management and predator control actions are inappropriate in the Arctic Refuge. To ensure clarity to and to dissuade any attempts by the State of Alaska to pursue IM programs on Refuge lands, the CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations to enhance game populations for human harvest and the use of predator control for this purpose should be prohibited in any form.

The Draft CCP, however, suggests that FWS should consider clearly incompatible Alaska actions on a case-by-case basis: “[s]eparate refuge compatibility determinations addressing specific proposals will be required for State management activities that propose predator management, fish and wildlife control...or any other unpermitted activity that could alter ecosystems” of refuges in Alaska.[16] FWS need not and should not initiate a compatibility determination or NEPA process to evaluate State-sponsored predator control in Arctic Refuge. Instead, the FWS should incorporate language into the CCP and the draft Compatibility Determinations clearly stating that any regulation or plan — including the use of predator control— which conflicts with federal law or policy and the purposes of the Arctic Refuge will be preempted in the Refuge.

Comment 136801.064

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-40. State of Alaska Management Activities. We reiterate the concerns we raised on these issues earlier in Sec. 1.3.3 (DEIS p. 1-10) that the Service must state in the Final CCP that Refuge purposes and wilderness values are dominant over conflicting goals of the State of Alaska, and that these purposes and values thus preempt Alaska Fish and Game and Board of Game rules when necessary.

The State of Alaska manages game populations according to the Intensive Management (“IM”) statute, which manages game for high levels of human harvest.³⁹ The IM statute is patently inconsistent with the Service’s mission and federal law, as well as the purposes of the Arctic Refuge — which includes the conservation of “fish and wildlife populations and habitats in their natural diversity.”⁴⁰ Thus, intensive management is inappropriate in the Arctic Refuge. To ensure clarity to and to dissuade any attempts by the State of Alaska to pursue IM programs on Refuge lands, the

CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations to enhance game populations for human harvest.

Comment 136801.065

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

We are concerned about the draft compatibility determination contained in Appendix G pertaining to State of Alaska Management Activities (DEIS p. G-5) and General Hunting (DEIS p. G-80) due to the complexity of overlapping management regimes and the state's different legal mandates from those of this unit of National Wildlife Refuge System.

We support the Service's statement that these management activities not be included in this blanket compatibility determination because they are contrary to the ANILCAs purpose for the Refuge: "to conserve fish and wildlife populations and habitats in their natural diversity"⁴¹: "This compatibility determination does not address predator management, fish and wildlife control (with the exception of animals taken in defense of life or property), reintroduction of species, native fish introductions, non-native species introductions, non-native species management, pest management, disease prevention and control, fishery restoration, fishery enhancement, construction of facilities, or any other unpermitted activity that could alter ecosystems in the Refuge. Separate compatibility determinations addressing specific proposals will be required for those activities."

However, the Service need not and should not initiate a compatibility determination or NEPA process to evaluate incompatible State-sponsored management, including implementation of its intensive management goals in Arctic Refuge.

The Service needs to provide full information about the state's activities for management, monitoring, research, hunting regulations, law enforcement, etc. in the CCP in order to provide a comprehensive assessment of all the activities that are done within the refuge, including within its designated wilderness. We are concerned about the lack of specificity and lack of analysis for a whole range of activities not being subject to a compatibility determination, as mentioned here:

"All management and research activities conducted by ADFG under a specific cooperative agreement with the Service to fulfill one or more purposes of the Refuge or the Refuge System mission are not subject to a compatibility determination."

It appears that an inappropriate grandfathering of the State of Alaska's management and research activities within the refuge is being done based on reliance of the 1982 MOU between the Service and ADF&G (DEIS at G-6):

"A compatibility determination is not required for State activities on lands in the Refuge where a pre-established agreement or memorandum of understanding is in place. Refuge staff will monitor State activities in the Refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, would be needed to ensure State activities remain compatible with Refuge purposes and in compliance with established agreements."

Therefore, we recommend that all State of Alaska management and research activities be addressed specifically in the DEIS, including their geographic extent, frequency, and how they intersect with the Service's own management and research programs. Furthermore, they should be considered along with other permitted inventory, monitoring, and research programs by other agencies or Universities so that a comprehensive assessment of these activities as they support wildlife management decisions can be made.

Comment 136801.069
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.9.6 Other Constituencies

Conservation and environmental organizations should be listed as constituencies, and particularly regional Alaskan organizations such as ours. We are concerned that we were not considered stakeholders when the Refuge circulated the Wild and Scenic Rivers Review draft Eligibility Report in November, 2010, nor were we acknowledged in the CCP's Wild and Scenic River Review list of stakeholders in the CCP.

Comment 136805.076
Sean Parnell, Governor
State of Alaska

Page 2-46, § 2.4.9.6, Other Constituencies. We request an explanation of how the Service will also consider the interests of its large non-local and non-visiting constituency when making decisions.

Comment 032627.038
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

We are further concerned because the Draft CCP (Page 2-44 Federal, State and Local Governments) proposes that FWS should consider clearly incompatible Alaska actions on a case-by-case basis: "separate refuge compatibility determinations addressing specific proposals will be required for State management activities that propose predator management, fish and wildlife control...or any other unpermitted activity that could alter ecosystems" of refuges in Alaska. The Service does not need to initiate a compatibility determination or NEPA process to evaluate a State-sponsored proposal to conduct predator control in Arctic Refuge. Rather, the FWS should incorporate language into the CCP and the draft Compatibility Determinations clearly stating that any State regulation or plan involving the use of predator control that conflicts with federal law or policy and the purposes of the Arctic Refuge will be preempted in the Refuge.

Comment 032628.028
Fran Mauer, Alaska Chapter
Wilderness Watch

We are further concerned because the Draft CCP (Page 2-44 Federal, State and Local Governments) proposes that FWS should consider clearly incompatible Alaska actions on a case-by-case basis: "separate refuge compatibility determinations addressing specific proposals will be required for State management activities that propose predator management, fish and wildlife control...or any other unpermitted activity that could alter ecosystems" of refuges in Alaska. The Service does not need to initiate a compatibility determination or NEPA process to evaluate a State-sponsored proposal to conduct predator control in Arctic Refuge. Rather, the FWS should incorporate language into the CCP and the draft Compatibility Determinations clearly stating that any State regulation or plan involving the use of predator control that conflicts with federal law or policy and the purposes of the Arctic Refuge will be preempted in the Refuge.

Comment 136908.005

Jonathon John

Said they need an interagency agreement for communication between agencies such as BLM, BIA, and other agencies to inform them about the sale and purchase of Native Allotments in the area.

Comment 032626.018

Greg Warren

V1, 2-44, 2.4.9.1 Cooperation and Coordination with Others (Paragraph 2): Due to different goals, the Service and ADFG may be unable agree on fish and wildlife harvest levels in the Refuge. It is my sense that actions taken in by ADFG to establish liberal seasons and bag limits may be in direct conflict with the Refuge's Federal mandates. Thus, compatibility determinations of ADFG species harvest regulations are critical to protecting Refuge values.

A commenter on the scoping notice expressed related concerns, which is used as an example in the summary of public comments on page 18 and coded as 645.20. I also expressed similar concerns: "Any existing Memorandum of Understanding with the State of Alaska is not an authority that can constrain CCP considerations and decisions. Related, Q6 should be restated to clarify the State of Alaska provide regulations for fish and wildlife, while the USFWS assures that such regulations are consistent with the CCP and other Federal considerations. For example, to meet Arctic Refuge goals, I believe that fish and wildlife populations should be managed so that hunting does not materially change the natural age structures of wildlife populations in each of the principle hunting areas (e.g., Dall sheep, upper Hulahula River)."

The incomplete Master Memorandum of Understanding (MMOU) quote in this part does not adequately characterize the direction in the agreement. It is important to supplement this section by adding the following language: "Compatibility determinations are the appropriate approach for a first screen to address whether season length and bag limit regulations are compatible with the Arctic Refuge purposes."

The Master Memorandum of Understanding (MMOU) quote in this part needs to be supplemented by adding the following verbiage from the MMOU: "To recognize that the taking of fish and wildlife by hunting, trapping, or fishing on Service lands in Alaska is authorized in accordance with applicable State and Federal law unless State regulations are found to be incompatible with documented refuge goals, objectives, or management plans."

3.35.7 Ecosystem and Landscape Management

Comment 136801.070

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.10 Ecosystem and Landscape Management

This section should also address the other components of the ecosystem management approach, including an ecological context to the area's wildlife and wilderness that includes natural and evolutionary processes, various behavioral characteristics, and interactions between species and their environment as was set in the executive order establishing the Refuge and reinforced by ANILCA's goal to conserve wildlife in "their natural diversity."

Comment 136801.071
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Furthermore, the whole Arctic Refuge clearly must also have a clear management goal of maintaining intact habitat and ecosystem diversity at the landscape scale to achieve the purposes of its establishment. Ecosystem management must address the connections throughout the refuge from north to south and east to west of the migratory routes and use by fish and wildlife, recreational and subsistence users that depend on intact ecosystems, and the watersheds and river basins that may be separated by the Continental Divide or national boundaries that perform vital functions in total. For example, while the Arctic Landscape Conservation Cooperative (LCC) addresses the broader North Slope context, it is not sufficient to address all climate change impacts and partnerships appropriate for the whole Arctic Refuge, since the lands south of the Continental Divide fall within the Northwestern Interior Forest LCC.

The Porcupine Caribou Herd is clearly already an indicator species, and the mandates of the U.S. Fish and Wildlife to implement its obligations under the International Porcupine Caribou Agreement and through its Technical Board to protect the herd's sensitive habitats should be included here.

Consultation with those with local and traditional knowledge should also be an important part of the peer-review process.

Comment 136805.077
Sean Parnell, Governor
State of Alaska

Page 2-47, § 2.4.10.1 Climate Change, third paragraph. We recommend the Service build flexibility into its non-intervention policy to allow for adaptive approaches to unforeseen management issues. We offer the following revision for your consideration.

The Refuge will investigate and consider a full range of responses to potential climate change impacts. For the foreseeable future the Refuge will generally follow a policy of non-intervention, whereby natural systems are allowed to adapt and evolve, accepting that some species may be replaced by others more suited to the changing climate. See Chapter 2, Section 1.

Comment 136810.002
Paul Krausman, President
The Wildlife Society

-----Preamble/Intro-----

TWS proposes the following recommendations and additions to the CCP:

-----Comment-----

Monitoring, mitigation, and adaptive management to combat the threats of climate change should be included.

The primary threat to ANWR is climate change, which brings with it the increased danger of disease and invasive species. Climate change affects wildlife, biodiversity, ecosystem services, and use of resources by recreational and subsistence users. Section 2.4.10.1 should provide a cross reference to earlier sections that deal with climate change (Objectives 1.5, 6.1, and 6.4) to more clearly articulate how this pressing management need will be met.

3.35.8 Environmental Contaminants ID and Cleanup

Comment 136801.095

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.19 Environmental Contaminants Identification and Cleanup p. 2-69. This section should describe existing, known contaminated sites including those on the Alaska Department of Environmental Conservation database and Formerly Used Defense Sites, for lands within the refuge boundary as well as on adjacent lands and waters. Information about spills and all contaminated sites, including those where cleanups were done should be provided.

Comment 136737.001

Unnamed 74

Reports of soil testing and drum removal around Jago- need to get report and pass it on to interested people at CCP info meeting.

Comment 136738.001

Unnamed 75

Did not transport drums on Jago in bags - could possibly contain hazardous material.

Comment 136739.001

Unnamed 76

Concerned about drums in lagoon-detrimental effects. RAC meeting maybe has notes.

Comment 136740.001

Unnamed 77

Abandoned ship in Demarcation Bay is rusting out. Needs to be removed.

Comment 136912.003

Edward Sam

Said the Timber Lake area about 3 ½ miles up drainage has an old camp with blue tarps and a cache with 55 gal drums of old survival gear that has been broken into by bears. The area's a mess and he wants the FWS to clean it up. He is concerned about contamination in the area.

3.35.9 Fish and Wildlife Habitat Management

Comment 136805.078

**Sean Parnell, Governor
State of Alaska**

Page 2-50, § 2.4.11.1 Habitat Management. We strongly urge the Service to replace this section with the regional management guidance mutually developed by the US Fish and Wildlife Service, Alaska Region and the State of Alaska and utilized in previous refuge planning documents. The new language is contrary to statutory Refuge purposes as established in ANILCA and significantly restricts the State of Alaska's ability to manage fish and wildlife resources. Every refuge in Alaska has a purpose .to conserve fish and wildlife populations and habitats in their natural diversity. and every refuge has employed virtually the same language regarding habitat management. The term natural diversity should not suddenly undergo a refuge-specific reinterpretation. The proposed changes also severely and unnecessarily limit management options. It is irresponsible to deny consideration of management tools that may help attain natural diversity, especially when such habitat treatment methods typically require a compatibility determination, NEPA analysis, and (in designated wilderness) a minimum requirements analysis.

Specifically, two particularly important provisions in the mutually agreeable Regional Management Guidelines language must be reinstated for the Arctic CCP. First, the statement, .habitats on refuge lands are manipulated to maintain or improve conditions for selected fish and wildlife populations. is consistent with both the Refuge purposes in ANILCA Section 303(b)(iii), which states the Refuge shall be managed to provide the opportunity for continued subsistence uses by local residents, and the BIDEHP; therefore, there is no justification for its removal. Second, removing the exception for controlling invasive species, except in management emergencies, appears to be inconsistent with direction found at Section 2.4.12.8 - Management of Non-native, Invasive, and Pest Species.

Moreover, the Refuge Improvement Act states the Service must ==provide for the conservation of fish, wildlife, and plants, and their habitats within the System. and .ensure that the biological integrity, diversity, and environmental health of the System are maintained for the benefit of present and future generations of Americans.. The BIDEHP states that habitat management, .ranging from preservation to active manipulation of habitats and populations, is necessary to maintain biological integrity, diversity, and environmental health. [The Service] favor[s] management that restores or mimics natural ecosystem processes in order to meet refuge purpose(s).. In other words, active management may not only be necessary with regard to fish and wildlife, and their habitats, but is appropriate in situations other than management emergencies. The guidance provided in the draft Plan is therefore inconsistent with prevailing national law and policy.

Comment 032627.018

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Management Guideline 2.4.11 (Fish and Wildlife Habitat Management) We fully support this guideline and urge that it be retained in the Final CCP.

Comment 136816.017
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Key change number 1 (page 15)

I suggest inserting the words "population numbers" after the word "diversity" and striking "highest degree of" and adding the clause "provided that chemical treatment may be used only as a last resort after exhausting all other options." Number 1 would then read: "Fish and Wildlife Habitat Management: Fish and wildlife habitat would not be actively managed, or altered.

Rather, management would seek to sustain the natural diversity, population numbers, and biological integrity. Activities such as crushing, chemical, or mechanical treatments or the constructions of structures should not be allowed unless necessary to address invasive species or management emergencies, provided that chemical treatment may be used only as a last resort after exhausting all other options." What I am trying to accomplish with this suggestion is strengthen the protective language to better ensure resolute, unwavering protection of all of the Refuge's wilderness values.

3.35.10 Fish and Wildlife Population Management

Comment 032619.005
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

Management Guidelines 1 and 2 regarding habitat management and fish and wildlife control raise serious concern because the Service's intent to enable natural cycles of all native species and virtually eliminate active management " ... with little or no human intervention or manipulation" poses an inherent conflict with ANILCA's requirements to provide continued subsistence opportunities within the refuge. Lack of a clear definition of the term "management emergency" leaves open the question of what conditions would trigger any form of manipulation or control. It is highly probable that these guidelines will inappropriately restrict management tools, jeopardize the health and viability of wildlife populations, and limit refuge managers' ability to reasonably provide for the subsistence uses it is required to protect.

Comment 136980.004
Gail Mayo, President
Arctic Audubon

In a similar vein in a clear prohibition should also be applied to use of herbicides or other chemical controls; they also should NOT BE ALLOWED for any reason.

Comment 136801.075
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.12.2 Scientific Peer Review

p. 2-53. This section should also address the process by which the Service will seek local and traditional knowledge, including traditional ecological and cultural knowledge, as part of the process of scientific investigations on the refuge and its resources. This expertise is significant and essential for policy and management actions, and the research and monitoring upon which they are based.

Comment 136805.013
Sean Parnell, Governor
State of Alaska

The State of Alaska is responsible for the sustainability of all fish and wildlife within its borders, regardless of land ownership or designation, and has the authority, jurisdiction, and responsibility to manage, control, and regulate fish and wildlife populations – including for subsistence purposes – unless specifically preempted by federal law. As outlined in the page specific comments that follow, the State strongly objects to the proposed management guidelines that inappropriately eliminate legitimate fish and wildlife management tools from being considered except when .natural diversity... or subsistence resources are seriously jeopardized.. This guidance is contrary to federal law and policy and results in significant negative affects to the Department of Fish and Game’s ability to manage fish and wildlife populations, which is an infringement on state sovereignty.

Comment 136805.079
Sean Parnell, Governor
State of Alaska

Page 2-52, § 2.4.12 Fish and Wildlife Population Management. This section has been significantly revised and appears to further a Refuge goal – .with little or no human intervention and manipulation. – to avoid active fish and wildlife management until faced with an emergency that affects natural diversity or subsistence resources. The Service must replace this revision with standard regional management guidance that applies regardless of this Refuge goal as regional guidance must reflect law and policy. As written, this direction inhibits the State of Alaska’s ability to manage fish and wildlife resources.

The National Wildlife Refuge System Biological Integrity, Diversity, and Environmental Health Policy serves as direction to Service personnel. Specifically, .It provides for the consideration and protection of the broad spectrum of fish, wildlife, and habitat resources found on refuges and associated ecosystems. and .provides guidelines for maintaining existing levels of biological integrity, diversity, and environmental health..

Under the BIDEHP, biological diversity is defined as the .variety of life and its processes, including the variety of living organisms, the genetic differences among them, and communities and ecosystems in which they occur.. The Service considers .biological integrity, diversity, and environmental health [as] critical components of wildlife conservation..

To maintain and restore biological integrity, diversity, and environmental health the policy states the Service will maintain current levels at the individual refuge and will .restore lost or severely degraded elements of integrity, diversity, environmental health at the refuge scale and other

appropriate landscape scales where it is feasible and supports achievement of refuge purpose(s) and System mission..

The BIDEHP also recognizes that absolute biological integrity is not possible; however, they strive to prevent the further loss of natural biological features and process; i.e., biological integrity.. Wildlife and habitat management, ranging from preservation to active manipulation of habitats and populations, is necessary to maintain biological integrity, diversity, and environmental health. [The Service] favor[s] management that restores or mimics natural ecosystem processes in order to meet refuge purpose(s).. In other words, active management may be necessary with regard to fish and wildlife, and their habitats, and is entirely appropriate in situations other than management emergencies.

In addition, we question the implication that active management techniques have ecological outcomes outside the range of natural disturbances. State management activities are typically short-term actions intended to influence natural dynamics, not fundamentally alter or permanently change that dynamic. The Refuge is concerned with what humans perceive to be a naturally functioning ecosystem -- essentially a value judgment of whether an intervention has occurred (bad) or not (good). This erroneous perspective lacks a scientific demonstration that management, by definition, produces an outcome or ecosystem condition that is functionally or permanently different than natural conditions.

To address these concerns, at a minimum, the following language from the most current regional guidance must be reinstated:
[The Refuge] will work with the State of Alaska to conserve fish and wildlife populations, recognizing that populations may experience fluctuations in abundance because of environmental factors and may require management actions for conservation purposes.

And finally, "little or no human intervention" must be removed.

Comment 136805.080
Sean Parnell, Governor
State of Alaska

Page 2-55, § 2.4.12.7 Fish and Wildlife Control. The State strongly objects to the portions of this section that stray from standard regional management guidance, which resulted from an intensive joint effort by the Service and the State, and request it be reinstated. As written, this section severely restricts the Alaska Department of Fish and Game's ability to fulfill its constitutional mandates.

The language in the draft Plan is inconsistent with Service law and policy, and inconsistent with guidance for all other refuges in Alaska. Additionally, considering climate change may cause non-native species to naturally move onto refuge lands, we find it inconsistent to specifically allow management actions to control naturally occurring non-native species but not allow wildlife managers to control native species, when necessary.

Comment 136805.081
Sean Parnell, Governor
State of Alaska

Page 2-57, § 2.4.12.10 Fishery Restoration and Enhancement. The State strongly objects to the revision of this section and request the current regional management guidelines be reinstated. As currently written, this section undermines the State's ability to implement any restoration or enhancement actions unless the Refuge Manager declares a management emergency. This defies Congressional direction found within the Refuge Improvement Act to .conserve. fish and wildlife, which includes both .restore. and .enhance. within its definition.

Comment 136810.003
Paul Krausman, President
The Wildlife Society

-----Preamble/Intro-----

TWS proposes the following recommendations and additions to the CCP:

-----Comment-----

The management plan for wildlife disease (section 2. 4.12.9) should be strengthened.

Several diseases have displayed northern movements, attributed to climate change. Of specific interest is the lung parasite of caribou, *Parelaphostrongylus odocoilei* which now includes Alaska in its range and *Parelaphostrongylus tenuis*, a nematode that affects moose. In addition to increases in the ranges of wildlife diseases, affected species may become more susceptible due to heat stress. TWS recommends the addition of a step down plan for wildlife disease and incorporating monitoring and mitigation components and action strategies should an outbreak occur.

Comment 136810.004
Paul Krausman, President
The Wildlife Society

-----Preamble/Intro-----

TWS proposes the following recommendations and additions to the CCP:

-----Comment-----

Include a detailed step down plan for the management of invasive species (section 2.4.12.8).

Invasive species are of particular danger to ANWR due to its open spaces, disturbed soil, and high connectivity of water systems favored by invasive species. ANWR is at an increased risk of invasive species activity because the species spread with the changing climate. TWS recommends that the step down plan incorporates monitoring, mitigation, and adaptive management strategies that can be used if an invasive species is found.

Comment 032628.004
Fran Mauer, Alaska Chapter
Wilderness Watch

Management Guideline 2.4.12.7: Recognizes that the ecological inter-connections of all life within the Refuge and management would strive to allow natural dynamics to continue without human interference. We support this approach, however, note that in the Final CCP this guideline should clearly state that predator control and Intensive Management activities totally conflict with the purposes of the Refuge and the preservation of wilderness character, and should be prohibited.

Comment 136908.006
Jonathon John

Regarding efforts to control the wolf population and manage wildlife, he asked if Arctic Village could get any help with equipment (traps) or money (for purchase of gas) so local people could go out and harvest wolves themselves.

Comment 136976.004
Suzanne Kuffler

Please clarify the management needs of the refuge so that these concerns take precedence over those special interests that may want to increase gaming. The larger goal is admirable over any short term pressures. Nibbling away does no good and it encourages the control of predators which goes against a natural preserve. Without controls over gaming habitats get lost and manipulated with dire results.

Comment 136808.002
Jack Reakoff

-----Preamble/Intro-----

Please consider these two issues of my concern,

-----Comment-----

Comment issue # 2

The Section on Recreational hunting needs to be clear regarding ANILCA mandated management for healthy populations of fish and wildlife by the Arctic National Wildlife Refuge Manager and staff. Provision for over site, and monitoring of State general hunting management plans, and harvest of fish and wildlife species needs to be stated in the CCP. USFWS-ANWR needs scientifically valid fish and wildlife management plans in place to track State regulated harvest that may be outside of recognized scientific principles.

Current issue:

Congressional intent for ANILCA management of fish and wildlife in accordance with recognized scientific principles and the purposes for each conservation unit's establishment, and other Federal lands, is not being accomplished.

ANILCA, Title VIII requires the Federal land managers to adhere fish and wildlife management consistent with sound management principles, and the conservation of healthy populations of fish and wildlife in accordance with recognized scientific principles and the purposes for each unit established. The Federal managers shall scientifically delineate and maintain healthy populations. If the State of Alaska management Boards actions jeopardize a fish or wildlife population health, Federal managers shall preempt State regulations to assure population health in accordance with ANILCA to protect subsistence uses.

In many instances, fish and wildlife resources are harvested at maximum, or exceeding maximum under State regulations, mainly by non-subsistence users, in a manner inconsistent with ANILCA mandated recognized scientific principles of fish and wildlife management. There is an ever-growing demand by non-subsistence users for limited resources.

Ungulate resources in many areas of Alaska are harvested under State of Alaska regulations beyond recognized biological parameters. Over use of the males in the harvest causes reproductive failure

(late born calves, lower survivorship to adult hood, and population declines). These practices deplete the healthy breeding structure and cull larger phenotypic animals. Herds are threatened and usually decline. There are many ungulate populations in Alaska that are in this condition, especially moose, caribou, and Dall sheep. Subsistence and other users are then restricted from harvesting customary resources, so that populations can be rebuilt to healthy levels.

Congress Stated this scenario in ANILCA TITLE VIII-SEC 801 (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” (emphasis added).

Congress mandated that the Federal managers adhere to sound management according to recognized scientific principles; 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; (emphasis added).

Federal agencies are held to the specific standard of fish and wildlife management as mandated in ANILCA. Therefore, Federal fish and wildlife management must maintain healthy populations, a variety of genetics, representation of healthy age structure, and healthy sex ratios. State management typically maximizes harvest of most of the older males, skewing the ratio to very few young males and smaller phenotypes. This is neither healthy nor natural. In many instances, in recent State of Alaska management history, the male to female ratios were depleted far below recognized scientific principles and herd viability was seriously compromised.

The State of Alaska and Federal agencies have very different wildlife management objectives. The State manages for “maximum yield” (Alaska’s Constitution requires the State to manage replenishable resources for “sustained yield,” but instead the State manages for “maximum yield”) and does not recognize local rural subsistence uses. Federal agencies are supposed to manage for “healthy populations and continued subsistence uses,” though currently the Federal management objectives, if any, are not always achieved.

The Alaska Board of Game does not always choose to adhere to recognized scientific principles. ANILCA requires the Federal managers to be proactive in assuring healthy populations of fish and wildlife. Currently, Federal managers are not “managing,” until there is a problem. Reacting to over harvested populations caused by State management regulations is not achieving ANILCA mandates or the intent of Congress. Federal wildlife management does not begin once populations are put into crisis by overharvest caused by State regulations, but before.

If the State Board of Game chooses to manage wildlife with out regard to recognized healthy principles (sustained yield), it is incumbent upon the Federal Management System to preempt State regulations that threaten populations and their subsistence uses. Managing species using healthy population compositions and minimum population threshold objectives does not threaten the State’s mandate for sustained yield; it complements it. Federal and State management systems both have to take a healthy stance managing Alaska’s fish and wildlife and agree upon the statutory mandates that are required.

The USFWS Arctic National Wildlife Refuge, as well as all other Federal Agencies, needs to take a proactive stance in management on the Federal public lands. If the State regulatory process chooses to violate scientific harvest of fish and wildlife populations, Federal managers, and the Federal Subsistence Board is required by ANILCA to use preemptive closures.

It is incumbent upon the USFWS-Arctic National Wildlife Refuge to recognized the ANILCA mandates for fish and wildlife management in this CCP, and initiate management planning for healthy populations, and survey of populations for health monitoring.

Comment 136816.018
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Key change number 2 (page 15)

This is an important guideline, and I am glad to see it, but it appears inconsistent with the management guidance presented in “Summary of Selected Management Provisions” Table. See Activity or Use: “Access on Foot, by Dog Team, or with other Domestic Animals” at the top of page 17. This Activity or Use would be “Allowed” in Wilderness, Wild Rivers, and Minimal Management areas. Domestic animals can transmit disease to wild animals, for example pack goats to Dall sheep. I suggest you Google “disease transmission domestic livestock to wildlife.” There are many hits. I don’t think that domestic livestock should be categorically “Allowed.” At the very least, domestic livestock should be subject to a case-by-case basis permit system, with careful evaluation and test of the livestock before being permitted to enter the Refuge. FWS should take a close look at this to determine the problem areas, and to perhaps have some species of livestock banned outright and some subject to a permit system with careful evaluation and test of each individual domestic livestock animal entering the Refuge.

Comment 136816.023
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 16, line item 4 in the table, “Fish and Wildlife Control.” My concern here is similar to above, but more urgent. The vague language in the table (i.e., “may be allowed”) is misleading because it fails to emphasize the fact that, according to the full CCP draft, Fish and Wildlife Control would be used only in emergencies (see 2.4.12.7 of the CCP, page 2-55). Section 2.4.12.7 references section 2.4.2 for a definition of Human Safety and Management Emergencies. The language of this line item 2, Fish and Wildlife Control (page 16 of the Summary) should, for all three categories, be “NOT ALLOWED, except in emergencies.”

Comment 032626.003
Greg Warren

Wildlife Population Management: I believe that the relinquishment by the Refuge of management responsibilities for fished and hunted species to the State of Alaska is likely materially interfering with and detracting from the fulfillment of the purposes for which the Refuge was established. The CCP should prescribe that when State population management actions materially conflict with Refuge purposes that the Refuge will preempt Department of Fish and Game and Board of Game regulations. To implement this direction, the CCP needs to establish that compatibility determinations are to be completed to address the potential population effects on various species of Alaska fishing and hunting regulations (603 FW 1.10-B).

Comment 032626.020
Greg Warren

V1, 2-52-2.4.12 Fish and Wildlife Population Management: The first sentence states, “The State of Alaska and Service each have directives affecting fish, wildlife, and land management, and will work cooperatively to fulfill these responsibilities.” This statement is misleading. The State and Service have conflicting laws governing the management of fish and wildlife. There is no indication from past Refuge practices that the Service will preempt the State if necessary to achieve Refuge purposes. I recommend deleting the first sentence or describe how ADFG has a different mandate for managing wildlife than those prescribed for the Refuge.

Comment 032626.024
Greg Warren

V1, 3-1, 3.1 Issues: The potential effects of ADFG hunting regulations on wildlife populations is a significant issue that needs to be addressed in the CCP and NEPA document. This issue was identified during scoping and is within the scope of the analysis due to direct, indirect, and cumulative impacts of the implementation of the harvest regulations on the Refuge. The current harvest seasons and bag limits on wolves is confirmation that State actions may be materially interfering with or detracting from the fulfillment of the purposes of the Refuge. The revised CCP needs to address adequate processes and resources needed to assess and manage fish and wildlife populations in the Refuge, while collaborating to extent practicable with ADFG.

Comment 032626.025
Greg Warren

V1, 3-6, 3.1.2 Issues Considered but Eliminated from Detailed Study: I am concerned that the ADFG regulations effects on Refuge purposes will not be addressed in the final CCP and EIS, since the issue was avoided in the draft CCP and DEIS. If the EIS does not address the hunting effects resulting from the ADFG regulations as a significant issue, the EIS must describe in this part why wildlife population effects resulting from ADFG regulations will not have a significant effect on the Refuge purposes.

Comment 032626.021
Greg Warren

-----Preamble/Intro-----

V1, 2-52-2.4.12

-----Comment-----

I believe that the CCP needs to establish programmatic population goals and objectives, and commit to developing Population Management Plans for many of hunted, fished, and trapped species (701 FW 1, General). These step-down management plans need to be discussed in this section.

3.35.11 General

Comment 032619.006
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

The management provisions summary addresses means of access in the refuge and appears to limit those activities to local rural residents only. The language should clarify its application to all who use the refuge.

Comment 136792.001
Cliff Eames, Board Member
Alaska Quiet Rights Coalition

-----Preamble/Intro-----

we were very disappointed to see that there is almost nothing in the draft Plan and EIS regarding the Natural Soundscape, natural quiet, and natural sounds. In this regard, the Fish and Wildlife Service seems to lag far behind its sister federal land managing agencies. Formal, written National Park Service policy requires that the agency address the Natural Soundscape in its plans and environmental analyses. Even the National Forest Service and the Bureau of Land Management, multiple use agencies with a far less protective mission than the FWS, have, in most recent cases that we're aware of, addressed natural quiet and natural sounds in their planning and environmental documents. We may not always agree with their decisions, but at least they generally acknowledge that the Natural Soundscape is a fundamental ecological resource. We are very surprised, and as we said, disappointed, to see that the Fish and Wildlife Service does not seem to be fulfilling its stewardship responsibilities by at least taking that important first step.

-----Comment-----

Natural Soundscape (Natural Quiet and Natural Sounds). Following up on what we said above, these important but too often neglected resources deserve strong protection in the Refuge. If not protected here, where will they be? The draft Plan and EIS should be revised to treat them as completely legitimate and independent resources, and the impact of refuge activities and decisions on them should be fully evaluated, just as is done for other important resources and values such as wildlife, clean air and water, scenic beauty, wilderness, etc. In addition, the Plan should mandate that a step-down Soundscape Plan be undertaken subsequently.

Comment 00026.001
Alaska Wilderness League - Form Letter

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 255413.001
Alaska Wilderness League - Petition

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 255412.001
Alaska Wilderness League - Type B Postcard

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 136980.005
Gail Mayo, President
Arctic Audubon

Our final concern with the draft plan is that it does not provide for priorities within the alternatives. Our choice, Alternative E sets in motion a great deal of study and work that will need to be done. Budgetary and other possible constraints may not allow all of these actions to proceed at once. If Alternative E is supported, and we hope it is, there will need to be priorities set. Recommendation to Congress for wilderness designation of the Coastal Plain should be top priority, closely followed by the wilderness recommendations to Congress for the Brooks Range and the Porcupine Plateau.

Comment 00028.001
Change.org - Greenpeace

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 032675.002
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

The Commission supports retention of the current management strategy in the revised CCP, primarily because the 8.0 million acres of designated wilderness within the Arctic Refuge represents a reasonable balance for managing and protecting the lands and resources within the refuge.

Maintaining the remainder of the refuge in a non-wilderness status has allowed the Service the flexibility to respond to changing circumstances or management needs and has worked well over the last 23 years. We find no reason, nor does the DCCP offer a satisfactory justification, to change current management direction. Existing statutory and regulatory authorities, including ANILCA specific regulations related to access, subsistence, public use, recreational activities, taking of fish

and wildlife, use and construction of cabins, and commercial visitor services, provide sufficient protections for refuge values and purposes without reducing management options by imposing an additional layer of restrictions on the Service, cooperating agencies such as the Alaska Department of Fish and Game or the public

Comment 032675.004

Stan Leaphart, Executive Director

Citizens' Advisory Commission on Federal Areas

The Commission also wishes to remind the Service that its Wilderness Stewardship Policy, which was newly revised in November 2008, confirmed that wilderness reviews for the Alaskan refuges were completed and no further reviews were required:

"5.17 Does the Service conduct wilderness reviews of refuge lands in Alaska?

We have completed wilderness reviews for refuges in Alaska in accordance with section 1317 of ANILCA. Additional wilderness reviews as described in the refuge planning policy (602 FW 1 and 3) are not required for refuges in Alaska. During preparation of cCPs for refuges in Alaska, we follow the provisions of section 304(g) of ANILCA, which requires us to identify and describe the special values of the refuge, including wilderness values. Subsequently, the CCP must designate areas within the refuge according to their respective resources and values and specify the programs for maintaining those values. However, ANILCA does not require that we incorporate formal recommendations for wilderness designation in CCPs and CCP revisions."

This Stewardship policy was developed and revised over an 8 year period beginning in early 2001. According to the Notice of Availability (73 FR 67876, 11/17/2008) for the new policy, the revision process involved a lengthy public review period, revisions based on public comments, internal review and discussion with Service managers and staff. In addition the Service developed Intergovernmental Personnel Agreements with representatives from five states, including the State of Alaska, to facilitate an effective means of involving state fish and wildlife agencies in the development of Service policies and guidance. The 2008 policy included a chapter specific to wilderness in Alaska, including the above referenced section 5.17.

This important section of the policy, developed with extensive input and the open public process outlined in the Notice of Availability, was abruptly dismissed without notice by the January 2010 Hamilton memorandum. Not only was there no consultation with the State of Alaska before this memorandum was signed, it was not even provided to the Governor's Office, the State's ANILCA Coordinator or this Commission for several months afterwards.

The Hamilton memo directs the Alaska Regional Director when revising the CCPs for Alaskan refuges to "conduct a complete wilderness review of refuge lands and waters that includes the inventory, study and recommendation phases, in accordance with 610 FW 4 (Wilderness Review and Evaluation)." The Hamilton memorandum lacks any authority to supersede ANILCA nor should it override the properly and publicly developed Service Stewardship Policy. The Hamilton memorandum should have been ignored.

Comment 000027.001

Greenpeace - Alert

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 00023.001
Greenpeace - Email

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 136789.003
Bob Childers, Executive Director
Gwich'in Steering Committee

The Plan does not recognize the significance of Refuge management decisions on the economies of our communities. When the Yukon Flats Refuge office left Ft Yukon many years ago it really hurt the local community. Now the Arctic and Yukon Flats National Wildlife Refuges are two of only a very few refuges that are not managed locally.

- We recommend that this plan include a move of the Arctic Refuge offices from Fairbanks to Ft Yukon within 5-7 years; and
- We recommend that this plan identify all future studies, conservation and other Refuge activities that could be evaluated for contracting to tribal entities for local management and execution.

Comment 136801.060
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-37. The Wilderness Act should also be listed in this section due to its important management policies and guidelines within the refuge.

Comment 255367.001
Pacific Environment - Bulk Letter

The southern sections of the Arctic Refuge should be managed in a way that supports the Gwich'in people's traditional and cultural access to the area while maintaining Wilderness characteristics.

Comment 000017.011
Wilderness Watch - Full

The draft plan's description of purposes and special values of the Arctic Refuge are excellent and should guide all management decisions.

Comment 136964.001
Cliff Eames

I'm disappointed in the plan's failure to assess, protect, and where necessary, restore, the Natural Soundscape

Comment 032637.001

Peter Fontaine

-----Preamble/Intro-----

Additionally, the plan must include:

-----Comment-----

recognition that the flora and fauna found in the Refuge are valuable species, and must be left unmolested in their natural state. (I personally would oppose hunting in the Refuge, but that seems to have been a compromise made at the time of its establishment);

Comment 032637.003

Peter Fontaine

-----Preamble/Intro-----

Additionally, the plan must include:

-----Comment-----

Indigenous peoples must be able to maintain their connection to the landscape, and that requires an intact, unspoiled landscape

Comment 009544.002

Frank Keim

the special values of the Arctic Refuge section should guide all future management decisions and there are many special values and one of them is spiritual, recreational, you name it, there are all kinds.

Comment 032622.002

Frank & Jennifer Keim

The Special Values of the Arctic Refuge section should guide all future management decisions.

Comment 032657.003

Terry Reichardt

-----Preamble/Intro-----

But I believe that limiting wilderness protection to only the coastal plain would not do justice to this national treasure.

I would like to see you make a couple of adjustments to the management option E.

1. Subsistence access should allow at least limited use of ATVs which is presently an important means of access for residents
2. Your proposed harvesting limits of firewood and of house logs is not realistic. You need to find a way to manage so that people can harvest the firewood they need without over harvesting any areas. Limiting the harvest of house logs to 20 trees of diameter 3-6 inches is also not realistic.

-----Comment-----

I suggest you work with residents of area to modify your management in a way that is beneficial to all.

Comment 032626.016

Greg Warren

V1, 2-37, 2.4 Management Policies and Guidelines: In general, the programmatic direction in the CCP for proposed and exiting Wilderness and Wild and Scenic Rivers should reflect the level of detail that is found in the Interim Management Prescriptions for potential Wild and Scenic Rivers (SUIT-D1). The step-down management plans would then tier to the CCP direction and FEIS. Guidance for the designated Wild and Scenic Rivers is absent in this section and needs to be included in the final CCP.

Comment 136823.003

Ruth Wood

I'm not sure whether it should be under goals and objectives or guidelines, but maintaining natural soundscape should be made a priority. One of the things I say to fellow travelers is that you often have a better experience when you are quiet. It would be good to maintain the natural soundscape where possible.

3.35.12 Human Safety & Management Emergencies

Comment 136796.003

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

-----Preamble/Intro-----

The Service Should Offer Stricter Criteria for a Management Emergency

-----Comment-----

The Draft CCP outlines that emergency situations may make it necessary to deviate from policies and guidelines discussed in the plan. Defenders has strong concerns over what sort of emergencies would require action. According to the plan, “emergency situations could also arise, whereby threatened or endangered species, natural diversity, water quality and/or quantity or subsistence resources are seriously jeopardized, or the introduction of an invasive species potentially necessitate actions not normally permissible.”[24]

In our view, a decline in the quantity of resources does not warrant an emergency action that could disrupt the natural diversity of fish and wildlife populations on the Refuge. A particular concern is that State managers consider any reduction in big game harvest to be an “emergency.” Sections in the CCP containing language that allows action in the face of such emergencies leave the door open for the State to claim that subsistence resources are threatened if a decline in ungulates occurs and, therefore, pursue predator control. Considering the vulnerability of subsistence resources to climate change, availability of subsistence resources such as caribou may be affected over time; control of predation to prevent potential declines due to climate factors is inappropriate on the Refuge. Further, if the Refuge’s Coastal Plain were to be opened to oil and gas development, subsistence resources such as caribou could be significantly impacted, and it would be inappropriate to

undertake predator control to mitigate losses to caribou populations resulting from development of oil and gas on the Refuge.

Comment 136796.004

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

-----Preamble/Intro-----

The Service Should Offer Stricter Criteria for a Management Emergency

-----Comment-----

As stated in our comments below, Defenders recognizes and supports the subsistence harvest rights of federally qualified subsistence users. However, ANILCA clearly states that subsistence opportunities on the Arctic Refuge must be consistent with the purposes “to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd...polar bears, grizzly bears...wolves, wolverines...” and “to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats...”²⁵ Further, subsistence is to be provided only when it is “consistent with sound management principles, and the conservation of healthy populations of fish and wildlife...”²⁶ The Service must, therefore, ensure that no actions are taken to provide subsistence opportunities or conserve subsistence resources if doing so will violate ANILCA’s primary purposes.

Comment 136801.050

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Further, as the response to the BP Deepwater Horizon Gulf of Mexico disaster demonstrated because the shorelines or fish and wildlife resources of dozens of National Wildlife Refuges were oiled, proactive Refuge-related efforts by the Service are also prudent in these areas to preserve the pristine qualities of the Refuge:

- * Designations of environmentally-sensitive areas for the entire Refuge coastline.
- * Involvement in spill contingency planning.
- * Protecting clean air through Clean Air Act permits for nearby oil drilling.
- * Protecting the Refuge’s anadromous fish migrations and their nearshore habitats from changes caused by ports, docks, or dredging offshore.
- * FWS obtaining its own means of doing oil spill trajectory modeling.

Comment 136822.001

**Wade Willis
Science Now Project**

I find the proposed language in the Management Emergency section (Section 2.4.2 of the draft CCP) especially concerning regarding the authorization of active management of native wildlife populations to artificially “create” subsistence harvest opportunity. This is a huge amendment to the long standing interpretation of ANILCA mandates to prioritize consumptive take for subsistence within the sideboards of a naturally regulated ecosystem.

The potential future impacts are significant, especially considering the fact that the state drives the harvest opportunity prior to a potential population decline, and the USFWS has yet to conduct a NEPA compliance review of the historical, current, or future harvest rates of the commercial hunting industry, or consumptive take as a whole. It simply sits on the sidelines until an “emergency” is

created. Nor, has the USFW allowed the public the opportunity to define the implementation policy for commercial guided sport hunting activities.

This is a very slippery slope the USFWS is going down in ANWR, the benchmark refuge for natural ecosystems. Don't think for a second that 50 years down the road rural populations might not be too large to support unlimited harvest opportunity.

I hope you review SNP's comments and consider the long term implications of adopting such a policy in lieu of the development of basic management tools such as species specific management plans and a regional policy regarding the implementation of commercial guiding activities as developed through a formal public planning process.

Comment 136822.005
Wade Willis
Science Now Project

Revised management guidelines proposing an emergency "exemption" for the active manipulation of native fish or wildlife populations presents a significant potential for negative impact to Arctic Refuge management mandates, goals, and policies without basic management tools of a harvest management plan or species specific management plans being in place. Section 2.4.2 of the draft CCP defines management emergencies to include a situation where:

"quantity or subsistence resources are seriously jeopardized ... and potentially necessitate actions not normally permissible"

This broad definition of a "management emergency" is found in no other refuge CCP that the Science Now Project is aware of, including the 2011 revision to the Selawik Refuge CCP.

This "new" language is clearly intended to elevate the management of subsistence harvest opportunity beyond the level identified in ANILCA and congressional management mandates which prioritize consumptive take among all hunters for federally qualified subsistence harvest opportunity within a naturally regulated ecosystem.

The primary purpose appears to be to elevate subsistence harvest opportunity to a level of priority where "active" manipulation of the ecosystem may be authorized for the sole purpose of artificially "providing" a harvestable surplus of game for subsistence hunting activities, and within our nations benchmark refuge for maintaining a "naturally" regulated ecosystem, despite the fact that the poor management of sport hunting by the state of Alaska is the primary reason for the emergency. The citizens of this country deserve better management of consumptive take to avoid such a drastic impact to the fundamental reason the refuge was established.

When the state of Alaska sets bag limits, seasons, and dates for consumptive take of wildlife on the Arctic Refuge and they do not consider the management mandates of the Arctic refuge. The proposed language found in Section 2.4.2 are a significant policy amendment with far reaching potential to negatively impact the ecological values identified in Section 1.5.2 "Special Values" of the draft CCP which state:

"The distinguishing ecological aspect of the Refuge—and a major reason for its establishment—is that this single protected area encompasses a wide range of arctic and subarctic ecosystems, their unaltered landforms, and native flora and fauna. The Refuge is a place of free-functioning ecological and evolutionary processes, exhibiting a high degree of biological integrity, natural diversity, and environmental health." (emphasis added)

And Section 1.6.2 "Refuge Goals" identifies the number one goal the draft Arctic Refuge CCP "should work toward meeting" as:

"Ecological processes shape the Refuge, and its management remains essentially free of the intent to

alter the natural order, including natural population densities and dynamics, and levels of variation of native fish, wildlife, and plants.” (emphasis added)

Prioritizing for the long term availability of subsistence food sources is a very important priority but cannot be realized if the state of Alaska is non compliant with USFWS mandates, goals, or policies and the USFWS simply sits on the sidelines allowing it to occur.

Nor should the state be rewarded for poor management of sport hunting with a “management emergency” determination by the USFWS with subsequent active management of predators which denies the citizens of the entire nation a refuge they specifically set aside to protect natural processes for perpetuity.

Of particular concern is the potential for unsustainable sport hunting harvest opportunity to be authorized by the state of Alaska and implemented on Arctic Refuge managed lands which may occur prior to, and significantly contribute to, a severe population decline of important subsistence resources.

Congress identified the potential negative impacts of a sport hunting harvest policy adopted by the state of Alaska that is not based on recognized science principles by stating:

“The Congress finds and declares that ... continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened by the increasing population of Alaska ... and by taking of fish and wildlife in a manner inconsistent with recognized principles of fish and wildlife management” (emphasis added) 2

Trends in Intensive Management of Alaska’s Grizzly Bears, 1980–2010 published in the Journal of Wildlife Management in 2011 stated

“most of the recommendations of the NRC committee [National Research Committee] have not been followed by the State of Alaska in its predator control activities since our report (NRC 1997). Basic research on predators, design of experiments, pre-and post-manipulation monitoring, and socioeconomic research all fall short of the standards recommended by the NRC committee. Indeed, recent predator control efforts have not been designed to test whether predators are actually controlling prey populations. Rather, control efforts have been initiated under the assumption (or conviction) that predators are the cause and that the solution to the “problem” is intensive predator control.” 3

Comment 136822.003

Wade Willis

Science Now Project

-----Preamble/Intro-----

Issue: Lack of NEPA compliance regarding the consumptive take of wildlife in the Arctic Refuge, including the major federal action of issuing prospectuses for commercial guided sport hunting activities. The categorical exclusion finding is not appropriate as historical NEPA review in 1988 is inadequate (e.g. did not consider historical, current or future harvest rates) and is not timely being 23 years old.

The public has never been given the opportunity to define the implementation policy for commercial guided sport hunting activities in the Arctic Refuge. Currently, the USFWS allows the legal sale, on the open market, of transferred special use permits that authorize guided sport hunting activities, with a guarantee that the special use permit will be granted to the buyer.

The proposed future step down planning process for developing a sport hunting management plan is not adequate to address unsustainable sport hunting opportunity that is already resulting in significant impacts to wildlife resources as confirmed by existing administrative decision closing

guide use areas with the refuge. The 1988 CCP promised a future step down planning process, and the USFWS never complied during the following 23 years. Now, the USFWS wants the public to buy into the same empty promise.

-----Comment-----

Amend the Management Emergency Guidelines (Section 2.4.2 of the draft CCP) to exclude “active” manipulation of wildlife populations when it is determined that state mismanagement of sport hunting harvest opportunity is a significant contributing factor which resulted in low density of an important subsistence wildlife population.

Comment 136805.014
Sean Parnell, Governor
State of Alaska

the effects analysis does not take into consideration the negative impacts of the proposed guidelines to the State’s ability to manage fish and wildlife. For example, although habitat manipulation may only be authorized by the Refuge Manager in cases of management emergencies and wildlife management will occur “without human interference” (page 5-4), the Service claims the effects of the proposed guidelines to vegetation and wildlife would be “...minor, long-term, Refuge-wide, and positive...” (pages 5-4, 5-5) This analysis fails to take into account that the Service is essentially relegating all management actions into a reactionary activity, and by definition requiring a “management emergency” before actions can be approved and implemented. We are concerned this will significantly impact fish, wildlife, or their habitats and the American people, especially local area residents seeking meaningful subsistence opportunities, which may raise environmental/social justice issues.

Comment 136805.074
Sean Parnell, Governor
State of Alaska

Page 2-37, § 2.4.2 Human Safety and Management Emergencies. We question why the Service considers situations where .natural diversity...or subsistence resources are seriously jeopardized. as the only possible management emergency and does not include additional fish and wildlife management issues in this category. The State of Alaska is responsible for the sustainability and management of all fish and wildlife within its borders, regardless of land ownership or designation, unless specifically preempted by federal law. We strongly request the Service commit to a broader definition of wildlife management emergencies and work to develop that understanding in cooperation with the State, which is consistent with direction provided in 43 CFR Part 24, the Refuge Administration Act, as amended, and the 1982 Master Memorandum of Agreement between the Alaska Department of Fish and Game and the Service.

Comment 136712.001
Unnamed 51

USFWS is promoting Arctic Refuge which attracts wealthy people who have the money to travel and visit it. Mishaps happen on the Refuge, however, and the NSB has been brought into the Refuge to help with Search and Rescues. NSB extracted two bodies several years ago and helped with a search and rescue. NSB estimates that it costs about \$26,000 per person to conduct a search and rescue. Is there a way for the Refuge to take on part of that cost?

Comment 136713.001
Unnamed 52

Could insurance be required for visitors to help with costs of search and rescue? If so, would this affect the cost of permits?

Comment 136816.026
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Change number 1, as do changes 2, 3, and 6, uses the term “managementemergencies.” This term is not defined in the Summary CCP, and I think it would be helpful to either define the term or make reference to Chapter 2, page 2-37, section 2.4.2 of the full CCP.

3.35.13 Land Exchanges

Comment 136820.022
Cindy Shogan, Executive Director
Alaska Wilderness League

We recommend that the description of Land Exchanges and Acquisitions (sec. 2.4.3, DEIS at 2-37) include descriptions of major land exchanges due to their great controversy. See Alaska Wilderness League et al. scoping comments dated June 7, 2010 for additional information on past exchanges that we recommend be included in the CCP to enable greater public understanding of the status of the ASRC lands within the refuge. The General Accounting Office concluded the Chandler Lake Exchange was not in the public’s best interest. ASRC has already obtained over \$39 million from its speculative oil lease options held by Chevron and BP – more than seven times the value of the Chandler Lake lands ASRC traded (\$5.1 million).²⁰ GAO said, “Interior used its broad authority to avoid procedural requirements otherwise applicable to land exchanges, such as full public review, preparation of environmental impact statements, and disclosure of the fair market value of the land and interest exchanged.”^[21] Congress held major oversight hearings concerning the Chandler Lake Exchange and another failed proposal, the “Megatrade,” and then, in 1988, Congress halted further land exchanges, without Congressional approval, involving the coastal plain of the Arctic National Wildlife Refuge with an ANILCA amendment (Section 201 of PL 100-395; ANILCA Section 1302(h)(2)).

Comment 136789.007
Bob Childers, Executive Director
Gwich'in Steering Committee

We strongly object to the purchase of Allotments. We recommend the FWS work with a Gwich'in Land Trust or tribal entity to funnel available funds to allow allotments to remain in tribal ownership.

Comment 136801.061
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.3 Land Exchanges and Acquisitions

P. 2-37. We recommend that this section add descriptions of past major land exchanges due to their great controversy. Please also consider the information we provided in our technical scoping comments, Alaska Wilderness League et al., June 7, 2010 regarding past exchanges including those that were not completed due to controversy, to enable greater public understanding of the status of the ASRC lands within the refuge. The General Accounting Office concluded the Chandler Lake Exchange was not in the public's best interest. 37 ASRC has already obtained over \$39 million from its speculative oil lease options held by Chevron and BP – more than seven times the value of the Chandler Lake lands ASRC traded (\$5.1 million).38 GAO said, "Interior used its broad authority to avoid procedural requirements otherwise applicable to land exchanges, such as full public review, preparation of environmental impact statements, and disclosure of the fair market value of the land and interest exchanged."

Congress held major oversight hearings concerning the Chandler Lake Exchange and another failed proposal, the "Megatrade," and then, in 1988, Congress halted further land exchanges, without Congressional approval, involving the coastal plain of the Arctic National Wildlife Refuge with an ANILCA amendment (Section 201 of PL 100-395; ANILCA Section 1302(h)(2)). This major constraint regarding future land exchanges in the ANILCA amendment should be mentioned in the CCP.

Comment 136801.062
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.4 Land Protection Plans

p. 2-38. We recommend that specific consideration of acquisition of conservation easements be mentioned as an alternative.

Comment 137014.018
Dan Ritzman, Alaska Program Director
Sierra Club

We recommend that the description of Land Exchanges and Acquisitions (sec. 2.4.3, DEIS at 2-37) include descriptions of major land exchanges due to their great controversy. See Alaska Wilderness League et al. scoping comments dated June 7, 2010 for additional information on past exchanges that we recommend be included in the CCP to enable greater public understanding of the status of the ASRC lands within the refuge. The General Accounting Office concluded the Chandler Lake Exchange was not in the public's best interest. ASRC has already obtained over \$39 million from its speculative oil lease options held by Chevron and BP – more than seven times the value of the Chandler Lake lands ASRC traded (\$5.1 million). [19] GAO said, "Interior used its broad authority to avoid procedural requirements otherwise applicable to land exchanges, such as full public review, preparation of environmental impact statements, and disclosure of the fair market value of the land and interest exchanged." [20] Congress held major oversight hearings concerning the Chandler Lake Exchange and another failed proposal, the "Megatrade," and then, in 1988, Congress halted further land exchanges, without Congressional approval, involving the coastal plain of the Arctic National Wildlife Refuge with an ANILCA amendment (Section 201 of PL 100-395; ANILCA Section 1302(h)(2)).

3.35.14 Minerals Management

Comment 136820.028

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The extraction of sand and gravel for commercial purposes is precluded in the Arctic Refuge. See e.g., Arctic Refuge CCP (1988) at Table 10, p. 183 (prohibition on removal of sand and gravel for commercial purposes). This should be made clear in the final CCP, and the language in the current Draft CCP suggesting otherwise is unnecessary and thus should be removed or qualified, as it is irrelevant to the Arctic Refuge where Intensive and Moderate Management Categories do not exist. Compare DEIS at 2-67 (3rd full paragraph) with Table 2-1 (clearly showing that Moderate and Intensive Management Categories do not apply to the Arctic Refuge).

Comment 136801.090

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-67. The extraction of sand and gravel for commercial purposes is precluded in the Arctic Refuge. See e.g., Arctic Refuge CCP (1988) at Table 10, p. 183 (prohibition on removal of sand and gravel for commercial purposes). This should be made clear in the final CCP, and the language in the current Draft CCP suggesting otherwise is unnecessary and thus should be removed or qualified, as it is irrelevant to the Arctic Refuge where Intensive and Moderate Management Categories do not exist. Compare DEIS at 2-67 (3rd full paragraph) with Table 2-1 (clearly showing that Moderate and Intensive Management Categories do not apply to the Arctic Refuge).

Comment 136801.091

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-67. The section Other Mineral Leasing needs to clearly state that the Arctic Refuge is withdrawn from the mineral leasing laws and that hardrock leasing and mining is prohibited (DEIS at 2-67).

Comment 136801.097

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.22 Alaska Mineral Resource Assessment Program

p. 2-72. Sentence 2. This sentence fails to fully reflect ANILCA's requirements described by Sec. 1010(b) (2) that the Service must ensure that activities must be compatible with the purposes for which the unit was established.

Comment 137014.024

**Dan Ritzman, Alaska Program Director
Sierra Club**

The extraction of sand and gravel for commercial purposes is precluded in the Arctic Refuge. See e.g., Arctic Refuge CCP (1988) at Table 10, p. 183 (prohibition on removal of sand and gravel for

commercial purposes). This should be made clear in the final CCP, and the language in the current Draft CCP suggesting otherwise is unnecessary and thus should be removed or qualified, as it is irrelevant to the Arctic Refuge where Intensive and Moderate Management Categories do not exist. Compare DEIS at 2-67 (3rd full paragraph) with Table 2-1 (clearly showing that Moderate and Intensive Management Categories do not apply to the Arctic Refuge).

3.35.15 Public Access and Transportation Management

Comment 136792.002
Cliff Eames, Board Member
Alaska Quiet Rights Coalition

Airplane (not helicopter) drop offs for access to wilderness recreation (as opposed to airplane use for flightseeing or other recreation), and of course access to inholdings, are traditional and appropriate, although such use needs to be carefully regulated. Other non-subsistence motorized use, including of course recreational snowmachining, is inconsistent with Wilderness and with refuge purposes and values and should not be allowed.

Comment 136801.076
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.14.2 Off-road Vehicles.
p. 2-59. The reference to Intensive and Moderate Management should be deleted in this section.

Comment 136801.077
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.14.3 Helicopters.
p. 2-59. This section, and the management guidelines including Table 2-1, prohibiting helicopter landing for recreation is excellent, and not only correctly interprets the aircraft access provisions in ANILCA with respect to recreation but will help avoid future conflicts that could arise as cruise ships and other vessels ply the Beaufort Sea more frequently due to sea ice loss from climate change. However, specific criteria regarding agency use of helicopters, including limits, should be specified.

Comment 136801.078
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.14.4 Access to Inholdings
p. 2-60. The ANILCA Citizen's Guide notes further Congressional intent for protection of Refuge lands during this process: "Although Congress intended to ensure access to inholdings, it also intended that such access would not damage conservation lands and the resources for which those lands were protection. As the Senate report accompanying an early version of ANILCA states, 'In this regard, the Committee expects the Secretary to regulate such access in order to protect the natural and other values for which the units were established,' (S. Rep. 96-413, p. 249).42

Comment 136801.079

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.14.7. Transportation and Utility Systems

p. 2-61. Para 2. Sentence 1. A TUS, as defined in ANILCA... only refers to related structures and facilities “minimally necessary” and so the term “reasonably and” should be deleted.

Comment 136801.080

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-61. Para 3, Sentence 1. Correct the first sentence so that it accurately reflects the requirements of ANILCA and instead reads, “The Service will make a decision whether to approve or disapprove a right-of-way...”

Comment 136801.081

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-61. Para 4. This section fails to acknowledge that ANILCA Title XI constrains rights-of-ways across conservation system units, requiring that transportation and utility systems be compatible with the purposes for which the units were established.43 p. 2-61.

Comment 136801.082

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Para 4, Sentence 1. This sentence and entire section gives an incomplete portrayal of requirements for approval or disapproval of a transportation or utility system as contained in ANILCA Title XI, and fails to adequately reflect the need for consideration of whether it would be compatible with the purposes of the Refuge and alternatives routes and modes of access. At a minimum it should include all of the other criteria contained in ANILCA Sec. 1104(g)(2) and Sec. 1105.

It is important to note that in addition to analysis required by the National Environmental Policy Act, the agencies must make detailed findings, supported by substantial evidence, in its consideration whether to approve or disapprove any of its authorizations according to ANILCA Sec. 1104(g)(2), among them, “the need for, and economic feasibility of the transportation or utility system; alternative routes and modes of access (emphasis added), including a determination with respect to whether there is any economically feasible and prudent alternative to the routing of the system through or within a conservation system unit....; short-and long-term social, economic, and environmental impacts of national, State, or local significance, including impacts on fish and wildlife and their habitat, and on rural, traditional lifestyles....; any impacts that would affect the purposes for which the Federal unit or area concerned was established....”

Comment 136801.084
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.16 Public Use Facilities

p. 2-64 This section and the management guidelines for Administration Sites and Visitor Facilities should be modified to prohibit construction of any new buildings for administration, recreational, or commercial use facilities in the Refuge because they are incompatible with the wilderness purpose of the refuge as well as its recreational purpose to support unique type of recreational experience.

Comment 136801.085
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.16.2 Temporary Facilities for the Taking of Fish and Wildlife p. 2-65. How does this apply to commercial hunting and fishing guides?

Comment 136801.086
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-65. This section does not make clear if this is intended to also apply to subsistence activities. It should not. The apparent new requirement for subsistence users to be required to obtain a special use permit and potentially have to pay a fee for temporary facilities that are in place from one year to the next, including tent frames, caches, smokehouses, and other temporary facilities in designated Wilderness is unnecessary, burdensome, and should be dropped from the final CCP. The CCP fails to provide justification for this new requirement, to provide any social, cultural or environmental analysis of the proposal, and poorly communicated this confusing change in the written document as well as in public meetings in the communities.

Comment 136805.085
Sean Parnell, Governor
State of Alaska

Page 2-59, § 2.4.14.1 Snowmobiles, Motorboats, Airplanes, and Non-Motorized Surface Transportation, second sentence. We request the Refuge incorporate important guidance from Section 1110(a) of ANILCA, which states that uses 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..

Comment 136805.086
Sean Parnell, Governor
State of Alaska

Page 2-59, § 2.4.14.2 Off-Road Vehicles. The word .restricts,. as used in the current regional management guidance, is more accurate than .prohibits. in this context. While 43 CFR 36.11(g) does .prohibit. use subject to certain exceptions, the Service does not list all the exceptions in this paragraph. We request the Service utilize language found in the current regional management guidance or list all of the exceptions found in 43 CFR Part 36.11(g).

Comment 136805.087
Sean Parnell, Governor
State of Alaska

Page 2-59, § 2.4.14.3 Helicopters. Consistent with our general comment on regional management guidance, we request the Plan either justify or remove the prohibition on helicopter use for routine law enforcement activities in designated wilderness.

Comment 136805.088
Sean Parnell, Governor
State of Alaska

Pages 2-60 & 2-61, § 2.4.14.7 Transportation and Utility Systems. While we recognize that as part of the regional management guidance, this section basically summarizes the procedural requirements of Title XI of ANILCA. However, Section 304(g)(2) of ANILCA requires that the draft Plan identify and describe present and potential requirements for access with respect to the refuge, as provided for in title XI. The revised CCP must address the infrastructure that would be associated with potential oil and gas exploration and development near or in the Refuge.

Comment 136685.001
Unnamed 27

Why are planes able to land anywhere and yet a permit is needed for using an ATV to hunt

Comment 136960.001
Caryl Clement

I do not like the idea of access with horses, mules, llamas. I think it would be very difficult to regulate a weed free feed requirement. In the work I do, we specify weed free seed for erosion control re-seeding efforts on federal and state highway lands. We receive the proper certifications, approve the seed mix but then see a lot of weed seed germinating. We have found it very difficult to control, even with both Federal and State agencies providing oversight.

Comment 136960.002
Caryl Clement

the incising erosion that occurs with use horse trails is a problem. The GCNP trails are good examples. The maintenance of the water bars seems to be an on-going issue everywhere horses/mules are allowed. I am not familiar with the soils/rainfall issues of ANWR, perhaps this is a non- issue.

Comment 136807.002

Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

6 Do not allow further overuse of certain areas of the refuge. The overuse that has occurred in the past must be corrected with a public use management plan.

Comment 136988.002

Brian and Diane Okonek

There is a management guideline that continues to allow the use of dogs, horses, llamas, etc. I am concerned about domesticated stock introducing diseases to Dall sheep and other species in the Refuge. It is my understanding that pack goats can pass on diseases to Dall sheep. I recommend that domesticated animals must be vaccinated and certified disease free if they are to be used in the Refuge or if this is not possible do not allow their use in ANWR.

Comment 136990.001

Tom Paragi

Public Access by Domestic Animals—I concur on weed-free feed for pack animals and recommend you prohibit domestic goats as pack stock because of high potential for disease transfer to Dall sheep, particularly from the Dalton Highway corridor.

The Alaska Chapter of The Wildlife Society, a professional organization of wildlifebiologists and managers, has been evaluated this risk of disease transfer by domestic goats to wildlife and is close to producing a position statement on the subject.

Comment 136998.001

Thor Stacey

I would like to emphasis the threat posed by domestic “pack goats” or other domestic ruminants to Dall Sheep. It is my belief that there is a HIGH probability of disease and/or parasite transfer to wild sheep populations. The risk of massive, catastrophic sheep mortality is too high and the damage would be virtually, irreparable. Please ban domestic “pack” ruminants from ANWR.

3.35.16 Public Use Facilities

Comment 136805.091

**Sean Parnell, Governor
State of Alaska**

Page 2-64, § 2.4.16 Public Use Facilities. ANILCA provides for new and existing public use cabins on the Refuge and guidance found in a CCP cannot supersede Congressional intent. Moreover, the current regional management guidelines, which mirror that intent, maintain that .public use cabins are intended to provide the public with unique opportunities to enjoy and use the refuge. They also help ensure public health and safety in bad weather and emergencies.. Furthermore, this section unnecessarily ties the hands of managers. The Service must revert to the current regional guidance.

Comment 136687.001
Unnamed 29

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Don't want to pay \$100 to put up a cache

Comment 136689.001
Unnamed 30

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Is there a breakdown about how Arctic Refuge issues permits?

Comment 136690.001
Unnamed 31

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Is there a breakdown about how Arctic Refuge issues permits?

Comment 136694.001
Unnamed 35

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
How many can afford having to pay for a permit for temporary facility?

Comment 136695.001
Unnamed 36

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Why can't people who have been subsisting for years be grandfathered in?

Comment 136696.001
Unnamed 37

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Would a permit for cabins include fee?

Comment 136700.001
Unnamed 40

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
The permit is targeting subsistence users because how many outside visitors use temporary facilities compared to subsistence users – not many

Comment 136701.001
Unnamed 41

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Wind blocks or lean-tos for tents are often left year-round. Would they be considered a permanent structure?

Comment 136702.001
Unnamed 42

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Don't want to pay for lean-tos that are moved to different areas

Comment 136703.001
Unnamed 43

-----Preamble/Intro-----
Comments related to permits for temporary facilities
-----Comment-----
Don't want to fill out a permit application for a tent every year

Comment 136705.001
Unnamed 45

-----Preamble/Intro-----

Comments related to permits for temporary facilities

-----Comment-----

Maybe the Refuge can do a registration process rather than a permitting process for tent platforms and camps. NSB asks people to register where their camps are. There are no permits required and there is no fee for registration.

Comment 136966.002
Jeff Fair

The mere idea of \$100 fees for Native subsistence camps in the Refuge fails any test of logic. Those fees will amount to nothing in the Refuge budget, but they will appear as fines to Athabaskan and Inupiaq people for simply following their traditional lifestyle. A fee for a subsistence activity is an oxymoron. And what, exactly, is this intended to build up to? Certainly it carries no financial sway at this level.

3.35.17 Recreation and Other Public Use

Comment 136801.083
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.4.15 Recreation and Other Public Use
pp. 2-63 to 2-64. The Service provided strong rationale in Sec. 1.4.1.3 Recreation Purpose, see DEIS at 1-17, that the Arctic Refuge's wilderness purpose "was intended to offer a special kind of recreation, an authentic wildlands experience of a type increasingly hard to find elsewhere." We support the policy to encourage self-reliance, and preservation of opportunities for adventure, discovery, and the experience of solitude and isolation. The Final CCP should strengthen this part of the Management Guidelines by referencing the Special Values of the Arctic Refuge as a justification for this important approach to recreation and public uses in the Refuge.

Comment 136805.089
Sean Parnell, Governor
State of Alaska

Page 2-63, § 2.4.15 Recreation and Other Public Use, second paragraph. Consistent with our general comment, recreation should be managed to perpetuate experiences that are consistent with the PLO 2214 purpose of .preserv[ing] unique recreational values. only in the area of the original Range. The final Plan must indicate that recreation in the rest of the Refuge will be managed to the standard identified in sections 101 and 204(g)(3)(B) of ANILCA, which apply to the entire refuge and would allow more latitude to provide for a broader range of visitor experiences across the 18 million acre Refuge. Furthermore, while the Service gives a great deal of weight to the views of the non-visiting public throughout this draft Plan, we expect that reference to .public preferences. in this section applies to the visiting public. We suggest the following revisions.

Recreation will be managed to perpetuate experiences that are consistent with [the Range's original purpose to "preserve unique recreational values",.] ANILCA Section 101 recreation provisions, [and

with public] preferences of the visiting public, and, within the boundaries of the original Arctic Range, the purpose to ""preserve unique recreational values,"" to the extent they do not conflict with ANILCA. An Arctic Refuge visitor study and other sources indicate that opportunities to experience wilderness, adventure, freedom, independence, self-reliance, solitude, and discovery are highly important to visitors. The Service will strive to maximize these opportunities in designated wilderness and other management categories, where appropriate. Environmental qualities highly valued by visitors the visiting public will be maintained, including natural conditions and processes.

Comment 136805.090
Sean Parnell, Governor
State of Alaska

Page 2-64, § 2.4.15 Recreation and Other Public Use, second paragraph, first sentence. This sentence states that .if voluntary methods [of achieving the Leave no Trace standard] fail, other actions may be taken . . . The Plan does not indicate how failure of voluntary methods will be assessed or determined, or what metrics will be employed.

Comment 032627.036
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Pages 2-63 and 2-64 (Recreation and Other Public Uses): We support the policy to encourage self-reliance, and preservation of opportunities for adventure, discovery, and the experience of solitude and isolation. The Final CCP should strengthen this part of the Management Guidelines by referencing the Special Values of the Arctic Refuge as a justification for this important approach to recreation and public uses in the Refuge.

Comment 032628.005
Fran Mauer, Alaska Chapter
Wilderness Watch

Management Guideline 2.4.15: We support this important guideline which recognizes self-reliance, and preservation of opportunities for adventure, discovery, solitude and isolation as essential recreational experiences because they are the type of recreation which the Refuge founders had in mind, and that the Wilderness Act contemplated, and that the Refuge is uniquely suited to provide. We also support this because it commits the Service to employ the least intrusive means for public use management. The Final CCP should strengthen this part of the Management Guidelines by referencing the Special Values of the Arctic Refuge as a justification for this important approach to recreation and public uses in the Refuge.

Comment 000017.016
Wilderness Watch - Full

The management guidelines related to Recreation and Public Use are generally excellent, but would be improved if they referenced the relevant Special Values of the refuge. As previously noted, visitor use issues should be addressed now, not deferred.

Comment 032676.002

Mike Matz

Issue 3--How will the Refuge manage Kongakut River visitor use to protect resources and visitor experience?

Conceivably, it may be necessary to resort to a permit system similar to the other great rivers of the West, such as the Salmon, Yampa, Green, Salt, and the Colorado through the Grand Canyon. Such is the progression, sadly; but it also highlights the immense popularity of these types of wilderness experiences and recreational opportunities, and therefore underscores the need to provide those opportunities in a manner that best enhances the visitor's wilderness experience.

3.35.18 Subsistence Management

Comment 136817.020

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

Access for Subsistence Purposes

ASRC and NSB strongly support the inclusion of Section 2.4.13.1, Access for Subsistence Purposes, in the final revised Plan, but believe that, at drafted, it provides an insufficient discussion of the Section's requirements. Draft Plan at 2-59. For many Alaskans, particularly Alaska Natives residing in remote, rural villages, subsistence hunting, fishing, and gathering remains the primary source of food. Subsistence also remains a critical element of a culture that has survived in the harsh Arctic Alaskan environment for thousands of years. Section 811 of ANILCA is vital to such subsistence use.

ANILCA section 811, 16 U.S.C. § 3121, requires USFWS to ensure that subsistence users "have reasonable access to subsistence resources on the public lands" and to permit snowmobile, motorboat, and other traditionally used means of transportation on the public lands for subsistence use, subject to reasonable regulation. See also 50 C.F.R. § 36.12. Section 1110, 16 U.S.C. § 3170, further requires USFWS to permit in the Refuge the use of snowmachines, motorboats, airplanes, and non-motorized surface transportation methods for traditional activities and for travel to and from villages and homesites, subject to reasonable regulation to protect the natural and other values of the Refuge. In this regard, section 304(g)(1) also requires the USFWS, before revising the CCP plan, to identify and describe the cultural values of the Refuge, as well as "present and potential requirements for access with respect to the refuge" pursuant to Title XI of ANILCA. The USFWS must ensure that the final revised Plan fully adheres to these requirements and fully preserves the rights of subsistence users under these provisions.

In order to help ensure that present and future Refuge managers recognize the full extent of what Section 811 requires, USFWS should revise Section 2.4.13.1 in the final revised Plan by adding a discussion of Section 811(a)'s mandate that "The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resources on the public lands," 16 U.S.C. § 3121(a) (emphasis added).

Comment 136817.021

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

ASRC and NSB strongly support the inclusion of Section 2.4.13.2, Section 810 Evaluations. Draft

Plan at 2-59. However, the discussion of Section 810 in the Draft Plan is incomplete and understates the important limitations that this provision imposes upon the USFWS's ability to withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of Refuge lands.[4]

When it enacted ANILCA in 1980, Congress included several important provisions to protect subsistence activities in Alaska. Among these, Congress enacted section 810, 16 U.S.C. § 3120, to ensure that the Federal government's management of Federal lands in Alaska does not interfere with the subsistence way of life. Accordingly, section 810 requires Federal agencies to evaluate the impact of their management decisions on subsistence activities, resources, and habitat. And, if this impact may be significant, the agency must ensure that the restriction of subsistence uses is necessary and that the proposed activity involves the minimal amount of public lands necessary, and take steps to minimize the adverse impacts of the proposed activity upon subsistence uses and resources.

A more complete discussion of this provision should be included in the final revised Plan—both in Section 2.4.13.2 and in Section 4.4.4.1 (Draft Plan at 4-166)—to help ensure that present and future Refuge managers recognize the full extent of the requirements and limitations that Section 810 imposes on the USFWS's decision making processes.

Comment 000077.001

David Raskin

Friends of Alaska National Wildlife Refuges

42 Management of refuge lands must allow
43 the continuation of traditional activities of Alaska
44 Natives and other local residents, including timber
45 harvest for local use and travel within the refuge.

Comment 136805.082

Sean Parnell, Governor

State of Alaska

Page 2-57, § 2.4.13 Subsistence Management, first paragraph. Title VIII of ANILCA does not guarantee the use of resources for subsistence purposes, rather it provides a priority opportunity to utilize those resources for subsistence purposes. Therefore we request the following insertion to better clarify the intent of Title VIII.

...rural Alaska residents who are engaged in a subsistence way of life be allowed the opportunity to continue using resources in refuges for traditional purposes.

Please also refer to our comments regarding section 2.4.12.

Comment 136805.083

Sean Parnell, Governor

State of Alaska

Page 2-58, second full paragraph, last sentence. We recognize that if determined necessary, the Federal Subsistence Board can restrict harvest on federal lands to the non-federally eligible; however, this should not be characterized as an elimination of a consumptive activity. We request

the words .or eliminated. be deleted from this sentence to clarify that other hunts, such as State-authorized hunts, are merely restricted.

Comment 136805.084
Sean Parnell, Governor
State of Alaska

Page 2-59, § 2.4.13.1 Access for Subsistence Purposes. Title VIII of ANILCA refers to specific modes of access as well as "...other means of surface transportation traditionally employed" for subsistence purposes. It does not identify those specific modes of access, i.e., snowmachines and motorboats, as "traditional." We request this and other inaccuracies be corrected and recommend the following revision, which closely mirrors Section 81 implementing regulations at 50 CFR 36.12: ANILCA Section 81 implementing regulations at 50 CFR 36.12 allows local rural residents the use of snowmobiles, motorboats, dog teams and other means of surface transportation traditionally employed when engaged in subsistence uses. Such use will be in compliance with State and Federal law in such a manner as to prevent damage to the refuge, and to prevent the herding, harassment, hazing or driving of wildlife for hunting or other purposes.

Comment 136895.001
Unnamed 4

Need 4-wheeler to have access to get logs

Comment 136786.001
Patti Barber

Because I do not live in this refuge I would not be allowed to harvest a tree but a subsistence user is allowed to harvest 20 trees per year for house logs or firewood, is that per household or individual members of the household? To me that's a lot of trees, they would also have to cut these trees with a hand saw since in the plan under Habitat Management, there is no mechanical treatment allowed...with exceptions. Do these exceptions mean they could use a chainsaw?

Comment 032662.007
David McCargo

Use of the Refuge for the gathering of house logs is not a compatible Refuge use. First, who is going to supervise it? Second, once permitted it would be an ongoing and a open-ended activity. Third, it would require increased motorized activity in the Refuge.

Comment 136808.001
Jack Reakoff

-----Preamble/Intro-----

Please consider these two issues of my concern,

-----Comment-----

Comment issue #1

Under the summery of selected management provisions ...

Subsistence: All categories of Wilderness, Wild Rivers and Minimal Management are far too restrictive of subsistence harvest collection of house logs and fire wood. ANILCA is clear regarding the importance of subsistence uses wild renewable resources:

SEC 802. It is hereby declared to be the policy of Congress that— (l) 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 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;

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, ...(emphasis added)

Reduced and limited levels for Subsistence use of wood resource in the CCP, would have great adverse impact on users. The Plans use levels would severely impact the subsistence users engaged in a subsistence way of life and to continue to do so. Provisions for reasonable management of wood resources are required by Title VIII of ANILCA and need to be incorporated into this document, for subsistence uses. And at levels that would allow users to continue their subsistence way of life.

Suggested language for Wilderness, Wild Rivers, and Minimal Management should state: Allowed; and may require use permits for trees over 6 inches.

Comment 032657.002

Terry Reichardt

-----Preamble/Intro-----

I would like to see you make a couple of adjustments to the management option E.

-----Comment-----

2. Your proposed harvesting limits of firewood and of house logs is not realistic. You need to find a way to manage so that people can harvest the firewood they need without over harvesting any areas. Limiting the harvest of house logs to 20 trees of diameter 3-6 inches is also not realistic.

Comment 032624.002

John Trent

I have a general comment about how subsistence uses are addressed in this Management Plan. I would like to see more emphasis and effort made to incorporate the Alaska Native residents of Kaktovik and Arctic Village into the stewardship and management of the Refuge. I understand this to be a complex issue and that you have made some progress. Nevertheless it is difficult to find any information in the current draft planning documents about the history, current roles and future responsibilities of the Alaska Native people who live on and adjacent to the Refuge. It is my belief that Refuge goals as they are currently articulated will be more rapidly and permanently achieved to the degree that local residents including Natives are brought more to the center of your management system. I would be glad to discuss specifics with you in more detail.

3.35.19 Table 2-1 - Activity/Use by Management Category

Comment 137013.013

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

2-79 Fishery Enhancement in management categories. In wilderness areas, the Service asserts that it can, subject to a minimum requirements analysis, authorize “activities applied to a fish stock to supplement numbers of harvestable fish to a level beyond what could be naturally produced based upon a determination or reasonable estimate of historic levels.” These activities are not defined, but presumably involve such measures as introducing hatchery fish into wilderness water bodies and lake fertilization in an effort to boost fish production to unnaturally high levels.

We refer the Service to the Tustemena Lake decision in which federal courts held that stocking that Kenai Wilderness lake with hatchery fish is prohibited by ANILCA and the Wilderness Act. By extension, the decision in the Tustemena Lake case applies to all designated wilderness in the Alaska refuges. On what legal grounds is the Service’s fishery enhancement claim for the Refuge based?

Comment 136820.024

**Cindy Shogan, Executive Director
Alaska Wilderness League**

FWS appropriately states that no exploration activities are allowed on the “1002” Coastal Plain area of the Arctic Refuge, DEIS at 2-66-67, that no Arctic Refuge oil or gas leasing is permitted by law, DEIS at 2-67, and that no oil and gas support facilities are allowed on the Coastal Plain of the Arctic Refuge. Id. For additional clarity, the prohibition of support facilities on the Coastal Plain could be added to Table 2-1 (likely at pages 2-89, 90).

Comment 136801.056

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

These incompatible, harmful activities as listed in Table 2-1 should be clearly not allowed in any Arctic Refuge Management Category: public access via highway vehicles, off-road (all-terrain vehicles like air boars and air-cushion vehicles), helicopters, all weather roads, unimproved roads, designated Off-Road Vehicle Routes and Areas for public use and recreation, roadside exhibits and waysides, constructed and maintained airstrips, docks, visitor contact facilities on refuge lands, developed campgrounds, construction of bunkhouses, construction of aircraft hangers, sale of sand and gravel. Therefore, those activities should be listed as “not allow,” and we recommend that the Intensive and Moderate Management categories should be removed from this CCP, including from Table 2-1.

Comment 136801.057

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

The Administration Sites and Visitor Facilities management guidelines and text should be modified to prohibit construction of any new buildings in the refuge.

Comment 136801.087

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

FWS appropriately states that no exploration activities (including seismic surveys, surface geology studies, subsurface core sampling, and other geophysical surveys), are allowed on the “1002” Coastal Plain area of the Arctic Refuge, DEIS at 2-66 to 2-67; that no Arctic Refuge oil or gas leasing is permitted by law, DEIS at 2-67; and that no oil and gas support facilities are allowed on the Coastal Plain of the Arctic Refuge. Id. Additionally, the text should also clearly state that oil and gas leasing, exploration, and development are prohibited throughout the refuge. Additionally, it is incompatible with the purposes of the Refuge. For additional clarity, the prohibition of oil and gas support facilities on the Coastal Plain, including from offshore development, could be added to Table 2-1 (Pp. 2-89, 90).

Comment 136801.102

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

we are particularly concerned about these areas where the new CCP provides less protective management direction than the existing situation (1988 CCP) and we recommend improvement so that the new CCP does not worsen management or create new loopholes: Research and Management Facilities: Fish Weirs – these should continue to not be allowed in Wild Rivers; many of the Habitat Management categories may have been weakened but due to the “exceptions” language it is hard to tell; Motorized Transportation: Snowmobiles – it appears that the requirement for adequate snow cover, subject to reasonable regulation, has been weakened (its confusing). While the section on helicopters clearly has improved with a clearly stated prohibition on recreational access, there needs to be a clear prohibition as well for access in support of commercial operations.

Comment 136801.103

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Congress, through section 602 of ANILCA, designated as Wild Rivers portions of the Ivishak, upper Sheenjek, and Wind rivers within the boundaries of the Arctic Refuge. To further its responsibilities under the Refuge Administration Act and the Wild and Scenic River Act, the FWS should more fully describe its management approach to these Wild Rivers. In the CCP, management of the Refuge’s Wild Rivers is included in the Management Categories Table, DEIS at 2-73-2-92, and discussed briefly, DEIS at 2-35. While we note that FWS indicates that it will formulate a Comprehensive River Management Plan for the Refuge’s designated Wild Rivers as a future step-down plan, DEIS at 6-3, we strongly encourage FWS to more fully discuss the current management regimes for these rivers in the final CCP, as well as describe any detailed measure available to FWS to ensure their continued integrity as Wild Rivers into the future. In this manner, the FWS can assure the preservation of the outstanding values associated with the Refuge’s three Wild Rivers.

Comment 136801.098
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.5 Management Categories Table and the State USFWS template p. 2-73 to 2-92. We are encouraged that for the most part activities are managed consistently in both the Wilderness and Minimal Management categories. We also provided addition comment on this topic for pp. 2-36, Sec. 2.3 Management Categories.

We have three concerns, however, with the overall approach of this template.

-----Comment-----

First, it includes categories that are not appropriate for the Arctic Refuge (Moderate and Intensive).

Comment 136801.099
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.5 Management Categories Table and the State USFWS template p. 2-73 to 2-92. We are encouraged that for the most part activities are managed consistently in both the Wilderness and Minimal Management categories. We also provided addition comment on this topic for pp. 2-36, Sec. 2.3 Management Categories.

We have three concerns, however, with the overall approach of this template.

-----Comment-----

this CCP should not weaken or make less restrictive the CCP guidelines or policies compared to the existing conditions (see Table 3-2), especially without full analysis of the nature of the need for change and analysis of environmental impact of the activities.

Comment 136801.100
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.5 Management Categories Table and the State USFWS template p. 2-73 to 2-92. We are encouraged that for the most part activities are managed consistently in both the Wilderness and Minimal Management categories. We also provided addition comment on this topic for pp. 2-36, Sec. 2.3 Management Categories.

We have three concerns, however, with the overall approach of this template.

-----Comment-----

there needs to be far better analysis of whether it is appropriate for any “exceptions” listed that may be granted; in many cases the text fails to identify the criteria by which such decisions would be made, whether there is public review and comment prior to the decisions and what process exists to provide transparency in management; there needs to be full NEPA review and Refuge compatibility determinations made if “exceptions” are considered.

Comment 136801.101
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

Sec. 2.5 Management Categories Table and the State USFWS template p. 2-73 to 2-92. We are encouraged that for the most part activities are managed consistently in both the Wilderness and Minimal Management categories. We also provided additional comment on this topic for pp. 2-36, Sec. 2.3 Management Categories.

We have three concerns, however, with the overall approach of this template.

-----Comment-----

this plan should not include categories that are not suitable management categories or list activities that are not appropriate Refuge uses in the Arctic Refuge (Table 2-1). Although lands in other Alaskan refuges fall into five categories, only those categories applicable to the Arctic Refuge should be included in this CCP: Minimal, Wilderness, and Wild River. Therefore, due to the purposes, vision, and goals of the Arctic Refuge, the columns on Table 2-1 for Intensive Management and Moderate Management and all activities covered by gray shading which FWS acknowledges do not apply to the refuge should be removed from Table 2-1 in the final CCP.

Comment 137014.020
Dan Ritzman, Alaska Program Director
Sierra Club

FWS appropriately states that no exploration activities are allowed on the "1002" Coastal Plain area of the Arctic Refuge, DEIS at 2-66-67, that no Arctic Refuge oil or gas leasing is permitted by law, DEIS at 2-67, and that no oil and gas support facilities are allowed on the Coastal Plain of the Arctic Refuge. Id. For additional clarity, the prohibition of support facilities on the Coastal Plain could be added to Table 2-1 (likely at pages 2-89, 90).

Comment 136810.005
Paul Krausman, President
The Wildlife Society

-----Preamble/Intro-----

TWS proposes the following recommendations and additions to the CCP:

-----Comment-----

Table 2.1, page 2-82, Public Access by Domestic Animals.

We concur on the requirement for weed-free feed for pack animals and recommend you expressly prohibit domestic goats as pack stock because of high potential for disease transfer to Dall sheep, particularly from the Dalton Highway corridor. The Alaska Chapter of The Wildlife Society has evaluated the risk of disease transfer by domestic goats and will soon produce a position statement on this issue.

Comment 032627.044
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

we take issue with the inclusion of the Intensive and Moderate Management categories in the DEIS, when on page 2-75, Table 2 – 1. Activities, public uses, commercial activities or uses, and facilities by management category, indicates that the Moderate and Intensive Management categories, which are shaded in gray, do not apply to the refuge. We see no reason for their inclusion in the DEIS, and we strongly urge the USFWS to remove them from the FEIS and Record of Decision (ROD) as they do not apply to the Arctic Refuge.

Comment 136978.001
Wendy Loya

As I have expressed in the last year, I was appalled to find two NASA rocket shells in the Wind River valley. I do not believe that the sounding rocket program is compatible with Wilderness, Wild and Scenic River or Minimal Management on the Refuge. This program help the Refuge achieve it's goals or purposes. I would like to see this type of activity considered and evaluated in Table 2-1.

Comment 136816.020
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 16, line item 1 in the table, “Habitat Management – Mechanical Treatment.” There should be some guidance with respect to the qualification “with exceptions.” I would suggest language like “with exceptions, and only as a last resort” or (“only after other options have been thoroughly and meaningfully evaluated”). This should apply to all three categories: Wilderness, Wild Rivers, and Minimal Management. In addition, when exceptions to “not allowed” are contemplated, Minimum Requirements Analysis(MRA) should be required in the Wild River and Minimal Management categories as well as the Wilderness category.

Comment 136816.021
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 16, line item 2 in the table, “Habitat Management – Chemical and Manual Treatment.” Similar to line item 1 above. Although the boxes in this table are no doubt expanded upon and explained in the CCP, I think that the table is somewhat misleading because it lacks clear and strong language in instances where an Activity or Use is allowed under exception circumstances (e.g., “may be allowed”). I think that “not allowed, with exceptions” is better than “may be allowed” and even better is “not

allowed, except in emergencies and only as a last resort.” This should apply to all three categories (Wilderness, Wild Rivers, and Minimal Management).

Comment 136816.024
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

In general, all of the Activities or Uses that “may be allowed” or are “not allowed, with exceptions” ought to have stronger, specific language attached. I think for most of these in the table, “not allowed, except in emergencies” would cover it.

Comment 136816.025
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 17 (of the Summary), second line item “Motorized/Traditional Access: Use of snowmobiles, motorboats, airplanes, and non-motorized surface transportation methods including non-motorized boats for traditional activities and for travel to and from villages and home sites.” The lack of commas after “methods” and after “non-motorized boats” means that “traditional activities” modifies only non-motorized boats. I believe that the intent of the sentence is for traditional activities to apply to “snowmobiles, motorboats, airplanes, and non-motorized surface transportation methods” as well. This is confirmed by reference to section 2.4.14.1 of the CCP, page 2-59, which I believe is correct. Therefore, the sentence (page 17 of the Summary) should be: “Use of snowmobiles, motorboats, airplanes, and non-motorized surface transportation methods, including non-motorized boats, for traditional activities and for travel to and from villages and home sites.” This is the same as line item 2 on page 17 of the Summary of Draft CCP except for the insertion of the two commas. In addition, “traditional access” should be defined so that recreational snowmachine use can be prohibited.

3.36 TOPIC: Refuge Operations

3.36.1 Effects of Alternatives

Comment 032627.030

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page 5-31 (Refuge Operations): The text asserts that designation of Wilderness might limit the use of remote sensing to monitor visitor use due to restrictions on installations. The Final CCP should be modified to acknowledge that if visitor use is appropriately limited and regulated to fulfill the legal requirement to preserve wilderness character in designated Wilderness, intensive monitoring and other such management methods employed to facilitate excessive levels of visitor use would not be necessary. Page 5-32 (Cumulative Effects) also contains similar claims that designation of Wilderness might result in greater refuge operations due to increased visitor use, however, this would not be the case if appropriate regulations and limits were placed on visitor use for the purpose of preserving wilderness character.

Comment 032628.021

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Page 5-31 (Refuge Operations) The text asserts that designation of Wilderness might limit the use of remote sensing to monitor visitor use due to restrictions on installations. The Final CCP should be modified to acknowledge that if visitor use is appropriately limited and regulated to fulfill the legal requirement to preserve wilderness character in designated Wilderness (Section 4(b) of the Wilderness Act), intensive monitoring and other such management methods employed to facilitate excessive levels of visitor use would not be necessary. Page 5-32 (Cumulative Effects) also contains similar claims that designation of Wilderness might result in greater refuge operations due to increased visitor use, however, this would not be the case if appropriate regulations and limits were placed on visitor use for the purpose of preserving wilderness character.

3.37 TOPIC: Refuge Planning Context, Processes, and Issues

Comment 136805.011

**Sean Parnell, Governor
State of Alaska**

Members of the public and Service employees working with the Regional Management Policies for the first time may not be familiar with their basis or intent. These policies are designed to identify common management actions and policies on a region-wide level – in this case, refuges located within the State of Alaska. This guidance is based on federal law and policy, and should only be modified based on statutory guidance. The draft Plan currently omits the following necessary direction, which has been included in other Alaska Refuge CCPs.

The management direction presented here represents the common base for management of the Alaska refuges and identifies those sideboards within which management of individual refuges must remain. Some deviations from these regional management policies and guidelines are likely to appear in each comprehensive conservation plan, given differing establishing orders or refuge purposes. Any specific departures from these policies and guidelines will be clearly described, along with supporting rationales, in each refuge's revised comprehensive plan. (See the Final Selawik CCP, 2011; emphasis added.)

This important direction has been replaced by a single sentence, which states "[b]ecause the Service intends to manage Arctic Refuge at the far end of the unaltered spectrum, the Refuge Plan calls for a more hands-off approach to management and allows less manipulation of the environment than other refuge plans." (page 2-31) Not only does this approach provide no explanation or justification for departing from regional policy and guidance, it preempts Congressional direction.

The Refuge is managed under the same laws and policies that apply to all refuges in Alaska and its ANILCA purposes are essentially identical to those of nearly every other refuge in Alaska. We recognize the Refuge contains congressionally designated wilderness and additional wilderness values may exist beyond the designated wilderness boundary, but unlike other conservation system units in Alaska, ANILCA did not include wilderness as a purpose for the Arctic Refuge. And, to the extent the Range purposes apply, as purported in the draft CCP, they would only apply within the original Range boundaries. Moreover, the Arctic Refuge is not unique in that all Alaska refuges focus on ecosystem management and are required to follow direction found in approved Service policies, including the Biological Integrity, Diversity, and Environmental Health policy (BIDEHP).

The Service appears to be purposely taking legitimate management tools off the table. We understand the Refuge Manager may not choose to conduct or authorize certain management actions over the life of the Plan, and ample decision points support such deliberation and discretion, such as compatibility determinations, NEPA analyses, and (in designated wilderness) minimum requirements analyses. However, the CCP itself, particularly in the regional management guidelines, should not arbitrarily eliminate consideration of legally-authorized management options, especially given the unpredictable nature of climate change. The standard regional management guidance provides ample flexibility and managerial discretion to tailor management to direction in the CCP. Should the Service desire to hold to a higher standard before considering certain management tools, this intent is more appropriately expressed through the goals and objectives section of the Plan.

According to the US Fish and Wildlife Service handbook Writing Refuge Management Goals and Objectives, a goal describes the desired future conditions of a refuge in succinct statements. Additionally, objectives are statements of what the refuge wants to achieve, how much they want to achieve, and who will achieve them. Throughout the draft Plan, there are numerous statements regarding the Refuge serving a unique, distinctive function with regard to wilderness values and

natural diversity within the refuge system. This is a statement of desired future conditions – by definition a goal – and should remain as such.

The regional management guidance must continue to properly recognize Congressional intent through federal laws such as the Refuge Administration Act, as amended, and ANILCA, not individual refuge goals. We strongly urge the Service to reinstate the appropriate regional management guidance, and only allow modifications that are clearly explained, rationalized, and founded in federal law.

Comment 136805.027
Sean Parnell, Governor
State of Alaska

Page 1-5, Planning Context. The Arctic Refuge is not unique in that all refuges in Alaska focus on ecosystem management and are required to follow direction found in the Biological Integrity, Diversity, and Environmental Health policy. Furthermore, while it is important to recognize and understand the Refuge's history, it must be managed consistent with federal law and policy - not based on the interpretation of the .vision shared by those who fought for its creation..

Therefore, we request this second paragraph be replaced with language consistent with other Alaska Refuge CCPs. The following example is based on language used in the most recent CCP finalized in the Alaska Region.

The Arctic refuge is part of a national system of refuges. The Service places an emphasis on managing individual refuges in a manner that reflects both the priorities of the Refuge System and the purposes for which the refuges were established. This revised Plan adheres to the individual purposes of the Arctic refuge while contributing to national-level goals and objectives.

3.38 TOPIC: Refuge Purposes -- General

Comment 137013.006

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

1-12. Sec. 1.4.1, Initial establishment of the Arctic [National Wildlife] Range and the Purposes set forth; 1-18 Sec 1.4.2 , The Alaska National Interest Lands Conservation Act.

These sections on the initial establishment of the Range and the subsequent establishment of the Refuge omit some important facts. As a result the reader may receive the impression that the Range, established by executive order, offered the same level of protection as the Refuge established 20 years later by Congress.

There are important differences. Public Land Order 2214, which established the Range, did not close the Range to oil and gas leasing. Oil seeps and other indications of the possible presence of economically recoverable oil and gas on the coastal plain lay behind the decision not to close the Range to leasing. Two Interior Department agencies shared jurisdiction, with the Bureau of Land Management responsible for potential oil and gas leasing, and the Fish and Wildlife Service responsible for managing the land.

Although PLO 2214 closed the Range to the location of new mining claims under the Mining Law of 1872, former Secretary Fred Seaton planned to revoke that closure not long after the Range's establishment in 1960 (Kaye 2006). His plan was not adopted by the incoming Kennedy Administration.

Nor did the Range have Wilderness System protection during the 16 years after enactment of the Wilderness Act. In 1980, Congress designated all but 1.5 million acres of the Range as wilderness, and provided what amounts to de facto wilderness for the remaining 1.5 million acres of the coastal plain.

Not until 1969 was the new Range staffed. One of the first actions taken by Refuge Manager Ave Thayer was to ban the State's predator control program in the Range.

In short, the withdrawal for the Range, while an essential and necessary step because it reserved the public land from potential state land selection and other appropriation, was not sufficient. The Range was inadequately protected until Congress took action two decades later.

In 1980 Congress in ANILCA established Arctic National Wildlife Refuge, absorbing the Range in the process. As pointed out in Sec. 1.4.2, the Act added 9.2 million acres to the Range, designated 8 million acres of wilderness, and designated three wild rivers. In addition—and this is what is omitted in Sec. 1.4.2,—ANILCA closed the new Refuge to all forms of appropriation under the public land laws, including the mineral leasing and mining laws.

Most important of all, Congress's action replaced the original 1960 public land order with statutory status for the entire Refuge. No longer was the unit vulnerable to potential changes in boundaries and uses at the discretion of the Executive Branch; any such changes would hereafter require Congressional authorization.

Comment 136801.018
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 1-17. This section on the Wilderness Purpose should also include the indigenous cultural values of “wilderness ... land that is still the way the creator made it,” as Gwich’in leader Sarah James has described. She elaborated this value in her scoping testimony at the Anchorage hearing in 2010,

“As Gwich’in people, as a Gwich’in nation, we are surrounded by wilderness all around us. We’ve been living in the wilderness all our life. We took care of the land. We – this is what wilderness to us. For thousand of years we use this land, wild land that is still how it is – still is the way the creator made it. We took care of it and live it the way it is with no trace. We respect the land, the animals and keep – keep the land clean, air clean, clean water for the future generation. Wilderness is to leave the land it is. We can still hunt, fish, berry picking, trap like we always did. That doesn’t change the land to designate the wilderness.... We – they spoke loud and clear repeatedly to protect the Arctic National Wildlife Refuge, the coastal plain of Arctic National wildife of the Arctic National Wildlife as a wilderness protection and for the permanent protection forever.” (testimony 19-166)

Comment 136795.006
David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection

Refuge Purposes

REP is concerned about a statement in the CCP implying that the purposes for which the original Arctic National Wildlife Range was established only apply to those lands in the original Arctic Range: “Under Section 305 of ANILCA, the Range’s original wildlife, wilderness, and recreation purposes still apply to those lands in the former Range” (DEIS at 1-18). Under FWS’s own longstanding policy and guidance regarding determining the purpose of each refuge in the National Wildlife Refuge System, see FWS Refuge Management Part 601 National Wildlife Refuge System, 601 FW 1 at 1.16 (July 26, 2006), the purposes of the original Arctic Range—namely “to preserve unique wildlife, wilderness, and recreational values” apply to all Arctic Refuge lands.

Comment 136805.032
Sean Parnell, Governor
State of Alaska

Page 1-18, § 1.4.2 The Alaska National Interest Lands Conservation Act, second paragraph. Consistent with our general comment, it is inaccurate to state that ANILCA .added. purposes to the Refuge. Section 303 of ANILCA clearly states that the Act .established or redesignated. areas as units of the National Wildlife Refuge System. We request this section also recognize the purposes in PLO 2214 have been modified by ANILCA and it is not appropriate to simply state .The Refuge’s ANILCA purposes are consistent with and complementary to the original purposes..... These and other similar statements are repeated throughout the Plan and need to be amended wherever they occur,
including page 2-52, 2.4.12 Fish and Wildlife Population Management. Additionally, this section is missing ANILCA Section 1002, a key provision of ANILCA that applies to the Arctic Refuge.

Comment 136805.033
Sean Parnell, Governor
State of Alaska

Page 1-19, § 1.4.2.1 Arctic Refuge's Purposes, last sentence in last paragraph. The State objects to the use of the phrase .unquantified, but absolute, Federal reserved water right,. because it is unclear and inaccurate. The State acknowledges that the federal government has reserved water rights in the Refuge, but these rights exist only to the extent they are necessary to fulfill the Refuge purposes, as set forth in ANILCA. We request that this sentence be modified to reflect the limitations on the federal reserved water rights in the Refuge.

Comment 136805.104
Sean Parnell, Governor
State of Alaska

Page 3-53, § 3.4.2 Response to Refuge Purposes. Per our general comments, the applicability of the original Arctic Range purposes is limited to the area of the original Range and designated wilderness. Whether or not Alternatives A-F support these purposes, as indicated in this section, depends on whether they are consistent with ANILCA pursuant to Section 305. This needs to be clarified.

Comment 032626.008
Greg Warren

V1, 1-18, 1.4.2.1 Arctic Refuge's Purposes: The affected environment and environmental consequences chapters should clearly discuss the legislative purposes of the Refuge. Relating issues, alternatives, affected environment, and environmental consequences to the Arctic Refuge purposes is critical for making informed decisions on the direction to adopt in the CCP.

3.39 TOPIC: Refuge Values

3.39.1 Special Values of Refuge

Comment 136820.005

**Cindy Shogan, Executive Director
Alaska Wilderness League**

The Service has provided a strong listing of the special values of the Arctic Refuge, see DEIS Sec. 1.5, pp. 1-20 to 1-22, and we support all of them being retained in the final CCP. These Special Values should be used to guide all management decisions in the Refuge.

Comment 136817.016

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

Section 304(g)(2)(B) of ANILCA requires that, before developing a CCP for a refuge, the Secretary must identify and describe “the special values of the refuge, as well as any other archeological, cultural, ecological, geological, historical, paleontological, scenic, or wilderness value of the refuge.” The draft revised plan’s discussion of special values is problematic in several respects and must be revised before they are incorporated into a final CCP.

A Symbolic Value

The revised draft plan identifies “symbolic value” as one of “the most prominent Refuge values” that emerged from the USFWS’s examination of the special values of the refuge. Specifically, the revised draft plan states:

Since the first efforts to establish a “Last Great Wilderness,” most people who value this landscape have been less interested in how it can be used than in what its continued preservation represents. Millions who will never set foot in the Refuge find satisfaction, inspiration, and even hope in just knowing it exists. The Refuge represents the hope of a past generation that one of the finest remnants of our natural inheritance will be passed on, undiminished, to future generations. For many people, the question of the Refuge’s future has now come to symbolize daunting questions the nation faces regarding energy policy, sustainability, and our effect upon the larger biosphere we jointly inhabit.

Draft Plan at 1-22. ASRC and NSB submit that the inclusion of such “symbolic value” as a special value of the Refuge is problematic.

ASRC and NSB believe that the needs and concerns of local residents must be given greater consideration than the sentiments of those who will never set foot in the Refuge. . The goals of the revised CCP must be consistent with the purposes of the Refuge. Because “symbolic value” is not an explicit purpose of the Refuge, we believe that it should not be included in the final revised plan.

Comment 136800.005

**Debbie Miller, Author
Caribou Enterprises - Full**

1.5.1, Wilderness Characteristics: I suggest that you note that the Arctic Refuge stands alone as the only wildlife refuge in America whose fundamental purposes for establishment includes its wilderness value, in addition to wildlife and recreational values. This original wilderness purpose

makes the Arctic Refuge unique among the more than 500 refuges in the National Wildlife Refuge System.

Comment 000002.003
Friends of Alaska Wildlife Refuges

Special Values — The Special Values of the Arctic Refuge section describes the most important characteristics of the Refuge. The refuge should be supported to serve as a guide for all management decisions.

Comment 136801.020
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

pp. 1-20 to 1-22. The Service has provided a strong listing of the special values of the Arctic Refuge and we support all of them being retained in the final CCP. These Special Values should be used to guide all management decisions in the refuge.

Comment 137014.002
Dan Ritzman, Alaska Program Director
Sierra Club

The Service has provided a strong listing of the special values of the Arctic Refuge, see DEIS Sec. 1.5, pp. 1-20 to 1-22, and we support all of them being retained in the final CCP. These Special Values should be used to guide all management decisions in the Refuge.

Comment 136805.034
Sean Parnell, Governor
State of Alaska

Page 1-20, § 1.5 Special Values of the Arctic Refuge. While we do not object to the identification of refuge values pursuant to ANILCA Section 304(g), the Refuge must avoid statements that also imply management goals. For example, discussing opportunities for .adventure, solitude, and escape. implies a restrictive management ideal which is more appropriately addressed in the alternatives or a step-down plan. Additionally, it is difficult to summarize in a short paragraph why Refuge visitors value certain resources. For example, river users may value a river for its ease of transport to hunting and fishing areas without particularly valuing solitude and escape. We request that these values be identified in terms that describe the values alone without referring to ways to achieve those values, or mixing values.

Comment 136805.036
Sean Parnell, Governor
State of Alaska

Page 1-20, § 1.5 Special Values of the Arctic Refuge. Special values also include the Refuge's vast natural subsurface oil and gas resource values as identified in the 1002(h) Report and subsequent assessments for the 1002 Area, which need to be addressed in this section.

Comment 136805.037
Sean Parnell, Governor
State of Alaska

Page 1-20, § 1.5.2 Ecological Values. The emphasis placed on .unaltered landforms. and .free-functioning ecological and evolutionary processes. erroneously implies there is, or was, no human presence on the refuge. These statements fail to take into account that Alaska Natives have played an active part and influenced this environment for nearly 10,000 years and, along with others, continue to influence the landscape today. For example, the Alaska Department of Fish and Game manages wildlife populations across the Refuge. We request this and other similar discussions better reflect the actual on-the-ground situation.

This comment also applies to Page 1-21, 1.5.6 Scientific Values where the language is similar.

Comment 136805.038
Sean Parnell, Governor
State of Alaska

Page 1-22, § 1.5.9 Recreational Values. We request the phrase .free from the distractions of modern civilization. be deleted. This is an inaccurate representation of recreational uses on the Refuge, as most users access the refuge by airplane or motorboat.

Comment 136805.039
Sean Parnell, Governor
State of Alaska

Page 1-22, § 1.5.10 Hunting Values. The State appreciates the inclusion of this value; however, it is written in a manner that suggests the entire Refuge is designated wilderness. We also request the last sentence be deleted. In Alaska, a remote hunting experience is not reminiscent of a bygone era, but rather the reality in most areas away from the road system.

Comment 136805.040
Sean Parnell, Governor
State of Alaska

Page 1-22, § 1.5.11 A Symbolic Value. The statementmost people who value this landscape have been less interested in how it can be used than in what its continued preservation represents. implies that those who are interested in using the refuge do not value the landscape, or have an interest in its continued preservation. That .most people. believe this is a judgment with no basis in fact. We request this unsupported, subjective statement be removed. We further request that any symbolic importance of the refuge be described in rational, objective terms.

Comment 136805.035
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 1-20, § 1.5 Special Values of the Arctic Refuge

-----Comment-----

consistent with our general comments, this section improperly incorporates and implies direction associated with designated wilderness in all land management categories across the Refuge.

Comment 032627.019
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Special Values of Arctic Refuge

We support the Special Values of Arctic Refuge as they appear in the Draft CCP (Pages 1-20 to 1-22). The Final CCP should retain this section as it exists and require that the Special Values of the Refuge are used to guide all management decisions for the Refuge.

Comment 009556.001
John Lyle

I also support the special values of the refuge, and I think that should be a template to guide all management decisions.

Comment 137007.003
Jerry McDonnell

The Special Values of the Arctic Refuge section describes the most important characteristics of the Refuge. It should be supported to serve as a guide for all management decisions.

Comment 136985.001
Susan Morgan

Description of purposes and Special Values of the Arctic Refuge: These are excellent and should guide all management decisions both in designated and potential Wilderness in the Refuge.

Comment 032610.003
Sharon Baur

Special Values — The Special Values of the Arctic Refuge section describes the most important characteristics of the Refuge. These should be supported to serve as a guide for all management decisions.

Comment 032611.003
AKNWR Friends

Special Values — The Special Values of the Arctic Refuge section describes the most important characteristics of the Refuge. These should be supported to serve as a guide for all management decisions.

3.40. TOPIC: Refuge Vision and Goals

3.40.1 General

Comment 136794.007

**Bill Iverson, President
Alaska Outdoor Council**

-----Preamble/Intro-----

The Alaska Outdoor Council (AOC) recommends that the Service withdraw their draft ANWR CCP/EIS and submit a draft that would be consistent with NEPA regulations regarding the study, development, and submission of appropriate alternatives to recommend a course of action which could resolve conflicts concerning alternative uses of available resources within ANWR.

-----Comment-----

4. AOC recommends that the Refuge Goals be modified to provide and enhance opportunities to participate in wildlife-dependent recreation. The current wording of the many step-down plans; Wilderness Stewardship Plan (Objective 2.3), Comprehensive Wilderness Management Plan (Objective 2.4), Visitor Use Management Plan (Objective 5.3), and the Comprehensive Rivers Management Plan (Objective 3.1) will result in further restrictions for those who participate in outdoor recreational activities if based on the sideboards created by the proposed Refuge goals.

Comment 136800.004

**Debbie Miller, Author
Caribou Enterprises - Full**

-----Preamble/Intro-----

I recommend that you revise a few of the goals to better reflect the purposes for which the Arctic Refuge was established:

-----Comment-----

Consider adding one additional goal:

Goal 10: The Refuge wilderness character is restored when it is apparent that present or past use has degraded Refuge lands or waters. (this relates to Objective 2.4 Comprehensive Wilderness Management).

Comment 136750.001

**Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council**

The other comments I would like to include in here are the objectives and goals and objectives that -- one I see really missing is the commercial hunting and guiding on the refuge. This should be a very important goal and objective within the Arctic National Wildlife Refuge because many of the animals that we hunt are big game animals that are pursued are in caribou, dahl sheep, grizzly bear, muskox and moose and other animals such as brown bear and sometimes, occasionally, we -- it's been sighted are mountain goats. So that would be a very important goal and objective to further review that is missing in your current plan to work on for the refuge staff to development management goals for the refuge.

Comment 032625.001
Nicole Whittington-Evans, Alaska Regional Director
The Wilderness Society

TWS supports agency staff incorporating the following actions considered in the DEIS into the alternatives and addressing them through the Refuge's management goals and objectives. These actions include: enhance education about such topics as hunting regulations, traditional ways, caribou biology, etc.; publish detailed land status maps that could be used for navigation while on the Refuge; hire village employees to work at Refuge visitor centers to improve communication and user education; improve messaging and information presented at kiosks; increase enforcement and patrols; restrict commercial uses in areas with high subsistence use; streamline permitting processes; and conduct research on hunting effects on wildlife. The issue was not considered in further detail, however, because the majority of these actions can be implemented without a Revised Plan. They can also be addressed through the Refuge's management goals and objectives, especially those pertaining to subsistence, recreation, and education (see Objectives 4.1, 4.2, 4.3, 5.5, 5.6, 8.4., 9.3, and 9.5). TWS supports these efforts and thinks they are extremely important for future relations and cooperative efforts with local communities.

Comment 136919.003
Lolly Andrews

Protecting wilderness is most important, so there should be an objective specifying that.

Comment 136988.001
Brian and Diane Okonek

I recommend adding a goal that recognizes the importance of maintaining the natural soundscape of the refuge. All flight activity including transportation charter flights, scenic flights and refuge management flights by both fixed wing aircraft and helicopters can degrade wilderness quality. It will take careful monitoring and insightful management to ensure that human made sounds do not erode the wilderness character of ANWR. The protection of soundscape has a broad effect of protecting the integrity of the wilderness from many harmful activities.

Comment 136856.001
Carrie Stevens

hat I wanted to talk a little bit about today I'm a little more concerned about are the goals, objectives, management policies and guidelines outlined in Chapter 2, pages one through 30 and, I apologize, I have not read this entire document. I can't even imagine getting through all that so I just want to comment on this section today and one thing that has been mentioned is the importance of the area to the people and, as was already stated, not any particular part of the refuge but the entire refuge and, through the goals, objectives, management policies and guidelines, I just want to make sure that we understand that these are the goals and objectives that would be implemented regardless of which alternative is selected and that's what I wanted to discuss here. I appreciate that the tribal governments and the consortium, the Council of Athabaskan Tribal Governments, was specifically listed in strategies under subsistence and I don't even believe that they were -- or they are mentioned briefly in cultural resources as partners to do this work. Everyone here today, obviously, we all live here and the residents of Arctic Village and Venetie live here. The Arctic National Wildlife Refuge is the largest national wildlife refuge in the nation and it is only one of three managed remotely and the people that are here, as already has been stated today, are

mentioned in this document but a little bit, perhaps, of a after thought and side note. I appreciate that they are mentioned in the subsistence portion and in the cultural resources portion as far as partners to do the work but I feel that there should be a review of the goals, objectives, management policies and guidelines section. I'm specifically speaking of 2.1, refuge goals and objectives. I'm not being very succinct here but what I'm getting at is the alternatives are important but the day-to-day management of the refuge should include the complete cooperation and participation of local residents that live here. And here they're kind of concerned as a partner in the subsistence section almost as a subject of study and I would like to suggest that the people that live here are experts on ecological issues far beyond anything I will ever comprehend in my lifetime, biological issues, again, far beyond anything I'll ever be able to comprehend in my lifetime or any very well-trained biologist and I think that we've used the term traditional knowledge and traditional ecological knowledge as a buzzword to cover our butts in plans but that these things need to be considered in all of these management objectives. More specifically, I think that local participation and cooperation should be incorporated into fire management, water quality and quantity and water rights, visitor use management plan, visitor management, visitor study, visitor use management, climate change, cooperative research, cultural resources inventory and surveys, inform the public, inform refuge users and education. I think that the experts are the folks that live and use the refuge every day and their input and work could be beneficial in all of these areas to the refuge.

Comment 136856.002
Carrie Stevens

I do appreciate that you have a RIT program. I appreciate Mildred and Joanne and I believe you have a RIT in Kaktovik. The Yukon Flats Refuge now has zero and we have several villages in the refuge. So I would like to see that program expanded even within the Arctic Refuge and I would like to see this revisited on the strategies to implement all the goals and objectives that you've outlined for the next 15 years to ensure that local expertise of these topics is incorporated into management and not an afterthought of the daily management activities of the refuge regardless of whatever alternative is selected.

Comment 136816.007
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Goals and Objectives (pages 8 and 9 of Summary of Draft CCP)

As I have noted above, I believe the number one management priority is to protect the wilderness, and that all other goals and management guidance, although important and necessary, are subordinate to that. I suggest that this point be made in the CCP, possibly in an introduction to the Goal statements.

Comment 032626.001
Greg Warren

I support the CCP's proposed goals and objectives, especially goals 1, 2, and 5, specifying protection of ecological processes and Wilderness character. I recommend adding an objective of preparing Population Management Plans for key species.

3.40.2 Goal 1 (including objectives)

Comment 137013.007
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-4. Objective 1.9, Water Rights —Establish legal protection for water quality and quantity to ensure Refuge purposes.

One of the primary purposes of the Refuge as set forth in ANILCA is to ensure “water quality and necessary water quantity.” As the Objective states, “Water of sufficient quality and quantity is a necessary component of fish and wildlife habitat and population management.” Yet we learn that the Service’s 152 applications to the State for instream flow reservations have not been adjudicated by the Alaska Department of Natural Resources. The State and the oil and gas industry want to tap whatever water is needed for oil and gas development should the 1002 area be leased at some future date. Reserving sufficient water quality and quantity for refuge purposes would likely significantly reduce the amount of water available for use in oil and gas extraction.

As it is clear that the State has no intention of cooperating with the Service, we urge the Service to override the State’s obstructionism, reserve water of sufficient quality and quantity, and make the decision to do so part of the final RCCP.

Comment 137013.008
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-6 Objective 1.12, Land Protection Plan. The objective here is to complete a land protection plan within eight years of approval of the RCCP. Inasmuch as there has been no plan in the 31 years since the Refuge was established, up to eight more years for plan preparation is excessive. We recommend that the land protection plan be completed with three years of Plan approval.

Comment 136820.006
Cindy Shogan, Executive Director
Alaska Wilderness League

We support Goal 1 (Ecosystem Management) with one small but important change. We recommend that the word “essentially” be deleted. See DEIS at 2-1. The goal should be to maintain the Refuge free from the intent to alter the natural processes, with the understating that goals may be difficult to attain.

Comment 136800.006
Debbie Miller, Author
Caribou Enterprises - Full

Objective 1.11: Status of Rare Species: This objective states that efforts to identify and determine the status of rare species “will be initiated within five years.” It would seem that any threatened, endangered, or declining population of a certain species, should be given a higher level priority for study efforts, certainly sooner than “within five years.”
Shouldn’t endangered species and at-risk populations be part of management’s current and ongoing priorities?

Comment 136800.007
Debbie Miller, Author
Caribou Enterprises - Full

Objective 1.7: Wildlife-Management Proposals: This objective recognizes the need to coordinate with the Alaska Department of Fish and Game, as the Board of Game is responsible for conservation and management of Alaska’s wildlife resources. This objective could be strengthened by noting that predator control and intensive management practices of the State of Alaska could potentially be in conflict with the Refuge’s purpose of maintaining wildlife populations in their natural diversity. If predator control programs are proposed within the boundaries of the Arctic Refuge, Refuge purposes should prevail, and such programs should not be allowed.

Comment 136800.002
Debbie Miller, Author
Caribou Enterprises - Full

-----Preamble/Intro-----

I recommend that you revise a few of the goals to better reflect the purposes for which the Arctic Refuge was established:

-----Comment-----

Goal 1: Modify: Ecological processes shape the Refuge, and its management respects this natural order without altering the diversity of fish and wildlife populations and their habitats.

Comment 136789.001
Bob Childers, Executive Director
Gwich'in Steering Committee

In Alaska the lives of the Gwich'in are closely tied to the management of the Arctic and Yukon Flats National Wildlife Refuges, and the CCP is central to that management.

Unfortunately this plan is not designed with the future of the Gwich'in in mind. It is hostile to Gwich'in ways of management and respect for people. We fought hard to protect these lands as refuges in 1979 and 1980, and we defended them in court more than once. This was the best way to control industrial development and protect the land. But we still live here and will depend on Refuge resources far into the future. We know how to protect this country and how to use it.

We strongly recommend that you revise your plan to rely on traditional management of subsistence uses of refuge lands to the maximum extent possible.

Comment 136801.022
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-1. We support Goal 1 with one small but important change, that the word “essentially” should be deleted. The goal should be to maintain the refuge free from the intent to alter the natural processes, with the recognition that goals may be difficult to attain. We strongly support Objective 1.1 on how Refuge Management will address this goal.

Comment 136801.023
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

pp. 2-2 to 2-7. For Objectives 1.2 to 1.13, the Service needs to address potential partnerships with tribes and communities in or bordering the refuge, consultations with tribal governments, and how it will seek and use Traditional Ecological Knowledge by having elders and others engaged, including for scientific review panels. There also should be coordination by Arctic Refuge scientists and managers on an annual basis with the local, affected communities for scoping of research projects, solicitation of inventory, monitoring, and research topics, involvement in projects, and reporting of findings. Could projects save scarce funding, transportation fuels, and provide more local employment through these endeavors?

Comment 136801.024
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-2. Objective 1.2 The plan needs to address how it will coordinate with and support the efforts of the International Porcupine Caribou Management Board on monitoring and management of this herd. We suggest that a new objective is appropriate due to the international significance of the refuge’s sensitive habitats.

Comment 136801.025
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-3. Objective 1.3 – Applied Research. The plan fails to describe how applied research differs from Inventory and Monitoring studies, and how they will be integrated together. How will these research projects be coordinated with other arms of the Service including Migratory Birds, Conservation Planning, Marine Mammal Management, and Fisheries?

Comment 136801.026
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-3. Objective 1.5. Climate Change and other stressors. How will this objective’s projects coordinate with the Service’s Arctic Landscape Conservation Cooperative, especially in its formative stage (this entity is only addressed in Objective 1.11 in the 5-8 year time frame)?

Comment 136801.029
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-6 Objective 1.12 Land Protection Plans. These plans should include the options of conservation easements and other cooperative management planning.

Comment 136801.030
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-6. Objective 1.13. Long-term Ecological Monitoring. It is unclear how this goal will be integrated throughout the entire process of inventory and monitoring and research. How will the refuge use past data collected, including tundra bird habitat plot data from the 1980's, lagoon bird surveys, migratory bird surveys, and other monitoring in its development of the long-term ecological monitoring.

Comment 136801.035
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-5. Objective 1.9. Water Rights. The Service should expeditiously conduct water quantity surveys for the Canning River, including the Staines, to complete surveys for all of the Coastal Plain rivers, so that it can file the additional instream flow reservations for fish and wildlife purposes with the Alaska Department of Natural Resources.

Comment 136801.027
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

p. 2-4. Objective 1.8, Water Quality and Quantity.

-----Comment-----

Additional water quantity surveys should be done for the Canning River, and all other Coastal Plain rivers not yet done in order to have adequate baseline data. There are development pressures adjacent to the refuge Coastal Plain's west and northern boundaries, and it is important to be able to assess any changes from adjacent development.

A shorter time frame is needed for conducting follow-up surveys for water quality data where it had been previously done. Furthermore, this objective should address the need for new or additional water quality baseline surveys, in rivers where they were not previously done, and for especially of near shore waters including lagoons, bays, and river deltas, given the fact that offshore oil drilling is proposed for sites only a few dozen miles offshore the refuge boundary in federal OCS waters, and may be closer in future years given the locations of State of Alaska and OCS leases, as well as future proposed lease sales. Furthermore, on land drilling could take place on the State of Alaska lands west of the Canning River and along the Staines River boundary and a spill from drilling, transportation, or other activities could contaminate these rivers. If there is an oil spill, does the Service have adequate water quality information to assess damages, as well as long-term impacts for these coastal waters, including designated wilderness waters in Demarcation Bay and elsewhere in the easternmost part of the refuge?

Comment 136801.028
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

-----Preamble/Intro-----

p. 2-4. Objective 1.8, Water Quality and Quantity.

-----Comment-----

Is there adequate baseline water quality and quantity data for the refuge's drainages and lakes in the Yukon River drainage system?

Comment 137014.003
Dan Ritzman, Alaska Program Director
Sierra Club

We support Goal 1 (Ecosystem Management) with one small but important change. We recommend that the word "essentially" be deleted. See DEIS at 2-1. The goal should be to maintain the Refuge free from the intent to alter the natural processes, with the understating that goals may be difficult to attain.

Comment 136805.047
Sean Parnell, Governor
State of Alaska

Page 2-3, Objective 1.3 Applied Research. We recognize that the State and the Service may, at times, have differing research priorities; however, coordinating research efforts benefits both agencies. Therefore, we request the Refuge coordinate with the Alaska Department of Fish and Game when developing an applied research plan.

Comment 136805.045
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-1, § 2.1.1, Objective 1.1 Refuge Management.

-----Comment-----

the State of Alaska is responsible for sustainability and management of all fish and wildlife, including for subsistence purposes, regardless of land ownership or designation, unless specifically preempted by federal law. The Alaska Department of Fish and Game, as the delegated agency responsible for fish and wildlife management, favors the most effective approach whenever possible, which might not necessarily be the least intensive management approach. We request the Refuge commit to follow appropriate guidance in the BIDEHP, which states wildlife and habitat management, ranging from preservation to active manipulation of habitats and populations, is necessary to maintain biological integrity, diversity, and environmental health..

Comment 136805.046
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-1, § 2.1.1, Objective 1.1 Refuge Management.

-----Comment-----

throughout the draft Plan the Service references the Refuge's .free-functioning ecological and evolutionary processes. or .free function of natural communities;. however, in this section the Service refers to .historical structure and function... exist[ing] prior to substantial human-related changes to the landscape.. While we recognize this direction comes from the BIDEHP, we recommend further explanation for members of the public that may not be familiar with refuge guidance and policies. Furthermore, while humans have certainly influenced this landscape, it will likely be difficult to determine a historical structure or function much different than what exists today.

Comment 136805.048
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-3, Objective 1.3 Applied Research.

-----Comment-----

while we understand that .threats. to natural diversity may be identified through future research projects, other issues related to natural diversity, such as benefits, may be identified as well. We recommend the following clarification for your consideration.

...as well as to evaluate [potential threats] issues related to natural diversity on the Refuge...

Comment 136810.001
Paul Krausman, President
The Wildlife Society

An extremely important function of the Arctic NWR is as an undisturbed area where natural processes can be studied. This is appropriately recognized in Section 2.1.7. We believe it is particularly important that the Refuge work collaboratively with scientists in other agencies such as the Alaska Department of Fish and Game, University of Alaska, U.S. Geological Survey, etc. during revision of the I&M Plan and development of the Research Plan. We suggest that in Section 2.1.1., Objectives 1.2 and 1.3 provide for interagency consultation early in the development and revision of those plans to ensure views of non-refuge scientists are included in draft documents. As currently written, outside review of the documents seems mainly to occur after the draft plans have been developed.

Comment 032627.002
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Objective 1.1 - We suggest that under objective 1.1., the second paragraph under Rationale be identified as the Strategy for implementation of this objective (page 2-2).

Comment 032627.004

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 1.2 - We support the development of an I&M Plan. According to the draft CCP, this could take 5 years from the Final CCP approval to begin to be implemented. This seems like a long time, so we encourage the staff to consider how scientific review might be incorporated into the drafting stages rather than waiting for a full draft to review.

Comment 032627.005

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

We suggest moving/editing the following text from Objective 1.13 (Strategy) to Objective 1.2 (Strategy): This plan will be developed in partnership with others, including the Refuge System I&M Program, Landscape Conservation Cooperatives, National Park Service Vital Signs Monitoring Program, USGS Alaska Climate Science Center, BLM Arctic Field Office/NPR-A and ADFG.

Comment 032627.006

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 1.3 - It seems like the I&M plan might be a component of the Research Plan, encompassing the broader research objectives of the Refuge.

Comment 032627.007

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 1.4 - We strongly support scientific peer review of the I&M and Research plans. We feel it is especially important that the Refuge seek input from other entities engaged in research in Alaska's Arctic in order coordinate research efforts. This would serve to increase the scale of research, facilitate better data sharing, as well as potentially reduce costs. This would be particularly important for I&M protocols. Priority entities include BLM, NPS, the Arctic LCC, the North Slope Borough, ADFG, industry, academia, science-based NGO's and other independent scientists. The North Slope Science Initiative (NSSI) Science Technical Advisory Panel (STAP) may be useful in the helping with the scientific peer-review process.

Comment 032627.008

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 1.5 - We believe that Climate Change and expanding industrial development adjacent to the Refuge will likely have significant impacts on ecological processes on the Refuge. We therefore recommend that important stressors, such as these, affecting Refuge species and/or ecosystems be identified as part of the I&M and Research planning efforts, and that detection of and identifying causes of change in Refuge ecological processes be fully integrated into these plans. This integration is clearer in objective 6.1 than presented here, and we suggest revision.

Comment 032627.010
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Suggested Revision of Objective 1.5 - Climate Change and Other Stressors—concurrent with development of the I&M and Research Plans, the Refuge will identify the most important stressors affecting Refuge species and/or ecosystems. Research, inventorying and monitoring activities will be designed to identify changes associated with these stressors and guide management activities.

Comment 032627.011
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Suggested Strategy for Objective 1.5: Strategy: Understanding the potential impacts of climate change and other stressors on Refuge ecological processes should be guided by a scientific understanding of ecosystem structure and function now and into the future. This can be done by integrating conceptual models of contemporary ecosystems (see Objective 1.2) with models or projections of climate change and other stressors, such as land use change (see figure below). Integrating these models will allow us to develop hypothesis of how the Refuge’s ecosystem might change and these hypotheses can be tested through research (including gathering local knowledge), inventorying and monitoring. As understanding of the ecosystem is improved over time, management actions will be evaluated based on how they help the ecosystem adapt to climate change and other stressors.

Comment 032627.003
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

Objective 1.1

-----Comment-----

We also suggest that this strategy identify more explicitly that in some instances, Refuge ecosystems will be allowed to adapt/evolve to a state which is different than historical conditions.

Comment 032627.009
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

Objective 1.5

-----Comment-----

as written, this objective lacks a strategy. We suggest including a strategy that meets the goal while allowing time for specific strategies to address these stressors to come out of the I&M and Research plans.

Comment 032628.002
Fran Mauer, Alaska Chapter
Wilderness Watch

We found the Refuge Goals to be very appropriate and inspiring. We support them in general, however the word “essentially” should be deleted from Goal 1. This term is unnecessary and detracts from the over-all intention that ecological process remain free of human interventions.

Comment 032628.006
Fran Mauer, Alaska Chapter
Wilderness Watch

Objective 1.1: We support Objective 1.1 but the strategy should identify more explicitly that in some instances, Refuge ecosystems will be allowed to adapt/evolve to a state which is different than historical conditions. The strategy should clearly state that active manipulation of habitats and populations will be avoided and that Refuge ecosystems will be allowed to adapt or evolve to a new natural stasis.

Comment 032628.007
Fran Mauer, Alaska Chapter
Wilderness Watch

We recognize the need for ecological monitoring but recommend that Objectives 1-2, 1.3 and 1-4 be integrated so that these improvements can be accomplished more effectively.

Comment 032628.008
Fran Mauer, Alaska Chapter
Wilderness Watch

initiatives relating to climate change (Objective 1-5) should be integrated with over-all ecological monitoring.

Comment 032628.009
Fran Mauer, Alaska Chapter
Wilderness Watch

The Final CCP should clearly specify that all investigations will be the least intrusive possible, consistent with preserving wilderness character and non-intervention principles that are established in the Management Guidelines (2.4.11, 2.4.12, and 2.4.12.7.

Comment 000017.013
Wilderness Watch - Full

Goal 1 is good, but the word “essentially” needs to be deleted. The goal should be to maintain the refuge free from the intent to alter the natural order, recognizing that goals are not always entirely attainable.

Comment 136978.002

Wendy Loya

One area of the plan that visitor use may need to be considered is in Objective 1.5, evaluation of climate change and other anthropogenic stressors.

Comment 136813.001

Allen Smith

Goal 1: The word “essentially” should be dropped since Refuge management should remain completely free of the intent to alter the natural order.

Comment 136998.006

Thor Stacey

I would also like to see some co-operation and comparison with Dr. Lohuis’s (ADF&G) stress/caloretic burn rate studies on Dall Sheep in south central Alaska.

Comment 136816.008

John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Goal 1:

Strike the words “remains essentially free of the intent to” and replace with “does not” and insert the word “diversity” after the word “densities”, so the goal would read “Ecological process shape the Refuge, and its management does not alter the natural order, including natural population densities, diversity, and dynamics, and levels of variation of native fish, wildlife, and plants.” My suggested language removes the squishy, exculpatory language as it is now drafted in the CCP. I added “diversity” even though there was language in the last clause that referred to “levels of variation....” I can’t quite pin down precisely what that last clause means.

Comment 136816.009

John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Goal 1 Objectives:

I haven’t seen in the CCP (I did an electronic search on “soundscape”) any consideration for monitoring and maintaining a natural soundscape. A natural soundscape is a key component of the

visitor experience and it is also crucial for wildlife and its natural processes. Noise can disturb and stress wildlife, impede their communication, etc. I would like to see an objective added to Goal 1 that provides for the monitoring and maintenance of the natural soundscape. This possibly could be added instead to the Objectives under Goal 2, with supporting language in body of the CCP.

Comment 032626.009

Greg Warren

V1, 1-23, 1.6.2 Refuge Goal 1: The wording of this goal as stated is confusing. Instead, the goal could state, “Natural ecological processes will determine the fish, wildlife, and plant population densities and dynamics in the Refuge.”

Comment 032626.011

Greg Warren

V1, 2-1, 2.1.1 Refuge Goals and Objectives, 1.1: The word “actions” would help relate the direction to projects that will be implemented. I recommend adding, “actions and” to objective 1.1. This should read, “All management actions and programs....”

Comment 032626.012

Greg Warren

V1, 2-4, 1.7 Goal 1, Page 2-4, Objective 1.7: The objective statement should be supplemented to describe that compatibility determinations would be completed for the primary hunted species in the Refuge. This would help assure that the ADFG management programs, as implemented on the Refuge through hunting regulations, are consistent with the Refuge goals and objectives.

Comment 032626.010

Greg Warren

-----Preamble/Intro-----

V1, 1-23, 1.6.2 Refuge Goal 1: The wording of this goal as stated is confusing. Instead, the goal could state, “Natural ecological processes will determine the fish, wildlife, and plant population densities and dynamics in the Refuge.”

-----Comment-----

V1, 2-1, 2.1.1 Refuge Goal 1: See V1, 1-23, 1.6.2—above.

3.40.3 Goal 2 (including objectives)

Comment 136820.007

**Cindy Shogan, Executive Director
Alaska Wilderness League**

Overall, Goal 2 is excellent. However, it needs to clearly address objectives so that the part of the goal aiming to “retain[] its exceptional wilderness values without loss of natural condition and wild character” is met for the entire Arctic Refuge, including non-designated wilderness lands.

Comment 136801.021

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Regarding Goal 2, we encourage the FWS to clarify that the goal that the Arctic Refuge “retains exceptional wilderness values without loss of natural condition and wild character” apply to the entire Refuge (we provided additional rationale in our technical letter Alaska Wilderness League et al.

Comment 136801.031

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-7 to 2-11. This goal needs to clearly address objectives so that the first part of this goal is met for the entire refuge including non-designated wilderness lands: “The Refuge retains its exceptional wilderness values without loss of natural condition and wild character.” (See discussion in Chapter 1 that the Arctic National Wildlife Range’s purposes apply to the entire Arctic Refuge). All of the objectives in this section focus on management of existing designated Wilderness lands. Adding a new objective is particularly important for management of the Coastal Plain lands as they are an integral part of the original refuge established to “preserve its unique... wilderness values” and failure to address the goal here is a particularly serious oversight. While Objective 2.4 provides provisions for comprehensive wilderness management, the emphasis there seems to stress how activities on lands not yet designated wilderness may affect the designated Wilderness, and insufficiently manages for the wilderness values on all refuge lands.

Comment 136801.032

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-7 Objective 2.2 Wilderness Training. There should also be a component of this, or a separate objective, to provide public education about all the public uses that are allowed in Arctic Refuge designated wilderness, including hunting, fishing, trapping, and traditional and customary subsistence activities. This program should involve consultation with local communities and have a focus of Alaskan education.

Comment 136801.033

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

p. 2-9 Objective 2.5. Administrative Facility at Peter’s Lake. We urge that consideration of removal of all the buildings (with the possibly exception of the outhouse) be undertaken by this plan. This objective should also consider removal of the buildings at Big Ram Lakes.

Comment 136801.034
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

A new objective should be added to address monitoring of the character of the existing designated Wilderness coastal waters, including water quality and other resources, from harm caused by offshore spills from offshore drilling, tankers, and ships.

Comment 137014.004
Dan Ritzman, Alaska Program Director
Sierra Club

Overall, Goal 2 is excellent. However, it needs to clearly address objectives so that the part of the goal aiming to “retain[] its exceptional wilderness values without loss of natural condition and wild character” is met for the entire Arctic Refuge, including non-designated wilderness lands.

Comment 136805.042
Sean Parnell, Governor
State of Alaska

Page 1-23, § 1.6.2, Goal 2. We recommend rephrasing this goal to make it more obtainable and realistic. We offer the following revision for your consideration.

The Refuge retains its exceptional wilderness values [without loss of] by maintaining natural condition and wild character[istics], and manages....

Comment 136805.049
Sean Parnell, Governor
State of Alaska

Page 2-7, Objective 2.1 Appropriate Wilderness Management. This objective inappropriately extends the minimum requirements .concept. to all administrative activities. The minimum requirement provision identified in Section 4(c) of the Wilderness Act only addresses administrative activities that pertain to the prohibition of certain uses:

Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

The assertion that the minimum requirements concept also applies to activities not specifically prohibited by Section 4(c) of the Wilderness Act or otherwise allowed by enabling legislation is not founded in the Wilderness Act. We therefore request the following revision to clarify the intent of the Wilderness Act.

Section 4(c) of the Wilderness Act prohibits certain activities in designated wilderness...

Comment 136805.050
Sean Parnell, Governor
State of Alaska

we question why an existing minimum requirements analysis would need to be reviewed after-the-fact and request this objective clarify that doing so only applies to Service administrative activities.. Should the Service continue with this objective, we request the Service work with the State throughout the review of existing Minimum Requirements Analyses (MRAs) to promptly address any concerns the Service may have regarding existing Alaska Department of Fish and Game activities on the Refuge, keeping in mind that Section 1314 of ANILCA states that nothing in ANILCA is to affect the State's ability to manage fish and wildlife, with the exception of Title VIII.

Comment 136805.051
Sean Parnell, Governor
State of Alaska

Page 2-7, Objective 2.2 Wilderness Training. While an awareness of the physical, biological, symbolic, and experiential components of designated wilderness may be important, management of designated wilderness requires only an understanding of appropriate laws and policies. We request the following revision to this rationale.

Wilderness is a unique resource with unique legal requirements. [and physical, biological, symbolic, and experiential components that require a level of awareness and special knowledge that may not be provided in most] Most employees' previous career experience or training may not have provided this background.

Comment 136805.052
Sean Parnell, Governor
State of Alaska

Page 2-8, § 2.1.2 Objective 2.4 Comprehensive Wilderness Management. The first sentence indicates that management of designated wilderness will be .[integrated] into other Refuge programs and planning processes,. and that .management activities that maintain or restore wilderness characteristics on minimal managed lands across the Refuge. will be prioritized. Without a wilderness designation, we are unaware of any mandate to maintain or enhance wilderness characteristics on minimally managed lands. Moreover, incorporating wilderness management into all programs across the Refuge violates federal law, as the entire refuge is not designated wilderness. We request that this sentence be modified to clarify that wilderness management activities will be limited to designated wilderness and to activities that directly affect designated wilderness.

Furthermore, the Wilderness Act does not require the .least intrusive. management approach, rather the approach that is the minimum necessary to accomplish the administrative activity, which may, or may not be the least intrusive, especially in Alaska where ANILCA allows motorized access in designated wilderness. Therefore, we request the following revision to the strategy at the top of page 2-9, which more closely mirrors terminology and intent reflected in law.

The Refuge will continue to use the MRA process to determine whether an otherwise prohibited use is necessary in designated wilderness. If determined necessary, the MRA process also determines the minimum tool needed to complete the project [least intrusive methodology and field activity for managing the Refuge's designated wilderness, including rigorously adhering to MRA protocols.]

Comment 136805.053
Sean Parnell, Governor
State of Alaska

Page 2-9, Objective 2.5 Administrative Facility at Peters Lake. While we do not object to either the rationale or strategy, the Refuge should not pre-determine what structures will be removed from the facility at Peters Lake. These types of decisions are best made after a project-specific scoping period. We recommend the following revision.

Within two years of Plan approval, the Refuge will complete [required] an analysis to consider long term structure requirements [remove at least one of the building] at Peters Lake[.]. Should this project determine that and the identified building(s) will be removed, this will be completed within [four] two years of the appropriate NEPA analysis.[Plan approval.]

Comment 136805.054
Sean Parnell, Governor
State of Alaska

Page 2-9, Objective 2.6 Wilderness Character Monitoring. We request further explanation regarding this objective and rationale. While we do not object to monitoring wilderness character within designated wilderness, the objective needs to clarify it will not be monitoring wilderness character outside of designated wilderness. We question why this monitoring process would be established in four different plans, especially when the planning area may not be within designated wilderness, as this objective is appropriate only within the context of a Wilderness Stewardship Plan. Further, it is unclear why the rationale refers to .essential wilderness qualities.. We also question the inclusion of .symbolic meanings and the humility, restraint, and respect shown by managers. as these are not referenced in the Wilderness Act or necessary components of wilderness character. Therefore, we request the following revisions.

The major tangible qualities of wilderness character, including untrammelled, undeveloped and natural conditions, and outstanding opportunities for solitude or a primitive and unconfined type of recreation, will be monitored through protocols developed through [four step-down plans] the Wilderness Stewardship Plan. Rationale: Relevant, reliable, and cost-effective indicators of change in [essential] wilderness character [qualities] is needed to determine if those qualities are stable, improving, or degrading over time. [Four step-down planning efforts will be initiated soon after approval of the Plan, and each will include lands and waters in designated wilderness. Collectively, and in an integrated manner, t] The monitoring components of the Wilderness Stewardship Plan (Objective 2.3)[, Visitor Use Management Plan (Objective 5.3), Comprehensive River Management Plans (Objectives 3.1), and the Ecological Inventory and Monitoring Plan (Objective 1.2)] will enable trends in related wilderness qualities to be observed, quantified, and addressed. [Some components of wilderness character, such as symbolic meanings and the humility, restraint, and respect shown by managers, may not be amenable to measurement and will be described qualitatively where possible.]

Comment 032627.012
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

Goal 2 - We support this goal, however, it should be modified in the Final Plan to acknowledge that where wilderness character has already been impaired, that actions will be taken to restore it and prevent impairment in the future

Comment 032627.013

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 2.3 - Wilderness Stewardship Plan: We believe that due to the long standing issues regarding unregulated visitor use and impairment of wilderness character in several areas of the Refuge, the Final CCP must commit the Service to initiate an appropriate wilderness stewardship and/or visitor use planning process as soon as the CCP is finalized. Furthermore, we are concerned that language such as “prolonged scoping and preplanning phases...” signals more delay on the part of the Service in addressing this urgent need. These concerns would normally seem unreasonable, however, due to the nearly 30 years of neglect of this issue on the part of the Service, there is reason for our concern.

Comment 032627.014

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 2.4: Comprehensive Wilderness Management: We generally support this objective, however, we recommend that in the Final Plan it be modified to include restoration of wilderness characteristics where they have been degraded or impaired within designated Wilderness. The Draft CCP only addresses restoration on minimal management lands.

Comment 032627.015

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 2.5: Administrative Facilities: The buildings at Peters Lake are out of conformance with the Wilderness. Their removal should be a required action in the Final CCP. Facilities located at Big Ram Lake, built before refuge designation, are also inconsistent with Refuge purposes. The Final CCP should require their removal as well.

Comment 032627.016

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Objective 2.6: Wilderness Character Monitoring: We generally support this in concept, however, we are concerned that wilderness qualities have already degraded in some areas of the designated Wilderness, and the Draft CCP does not commit to address this long standing issue in a timely enough manner

Comment 136952.001

**Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Virginia Tech Field Station**

In the section 2.1.2 Goal 2 relating to wilderness management (Obj. 2.4) the plan emphasizes priorities relating to the clean-up of historic trash and sites. While this is a necessary activity I don't see proactive actions, such as the development and communication of Arctic-appropriate Leave No Trace educational practices, to the groups and organizations that left all that trash in the first place. I suggest an approach that cleans up from past mistakes and actively focuses on educating all

current user groups (including internal and external research staff) to avoid and minimize future resource impacts. A good place to begin would be by having refuge staff trained at the LNT Master Educator level and development of the best-available educational practices for backpackers, river corridor visitors, researchers, and other groups. Outfitter/guide services should also be required as a condition of their permit to obtain adequate LNT training for their staff and to actively teach and adopt the best available LNT practices.

Comment 136952.002

**Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Virginia Tech Field Station**

Detail related to the appropriateness of permanent campsites and trails is missing from this section on wilderness – will the refuge be adopting a containment or a dispersal strategy for managing the impacts of visitation? Will there be trails and campsites or will you manage for pristine conditions? This is a fundamental question that should be addressed in the Wilderness management section of this plan.

Comment 032628.010

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Objective 2.3: Wilderness Stewardship Plan: We believe that due to the long standing issues regarding unregulated visitor use and impairment of wilderness character in several areas of the Refuge, the Final CCP must commit the Service to initiate an appropriate wilderness stewardship and/or visitor use planning process as soon as the CCP is finalized. Furthermore, we are concerned that language such as “prolonged scoping and preplanning phases...” (Page 2-7) signals more delay on the part of the Service in addressing this urgent need. These concerns would normally seem unreasonable, however, due to the nearly 30 years of neglect of this issue on the part of the Service, there is reason for our concern. (please see our further comments under the heading: Wilderness Stewardship and Visitor Use Issues).

Comment 032628.011

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Objective 2.4: Comprehensive Wilderness Management: We generally support this objective, however, we recommend that in the Final Plan it be modified to include restoration of wilderness characteristics where they have been degraded or impaired within designated Wilderness. The means for restoration should be determined through a minimum requirements analysis. The Draft CCP only addresses restoration on minimal management lands.

Comment 032628.012

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Objective 2.5: Administrative Facilities: The “Rationale” should also point out that these facilities are located within the Neruokpuk Lakes Public Use Natural Area (PUNA) as well as in the designated Wilderness. The buildings at Peters Lake are out of conformance with the Wilderness and PUNA purposes. Their removal should be a required action in the Final CCP. Facilities located

at Big Ram Lake, built before refuge designation, are also inconsistent with Refuge purposes. The Final CCP should require their removal as well.

Comment 032628.013
Fran Mauer, Alaska Chapter
Wilderness Watch

Objective 2.6: Wilderness Character Monitoring: We generally support this in concept, however, we are concerned that wilderness qualities have already degraded in some areas of the designated Wilderness, and the Draft CCP does not commit to address this long standing issue in a timely enough manner.

Comment 136784.002
Adrienne Hall

Under Wilderness Goal #2. Add “and preserve the undeveloped quality of wilderness character” to the goal statement. Similarly, under Goal #2, clarify that the statement “The Refuge retains its exceptional wilderness values without loss of natural conditions and wild character” means that the Refuge will not tolerate any loss, not total loss.

Comment 136998.007
Thor Stacey

Goal #2 is loaded with an almost spiritual undertone. “Wilderness Values” imply indoctrination, not discovery. I would urge less classes and “training” for refuge staff and more solo trips, devoid of excessive safety paraphernalia. The valuation of wilderness can not be taught and wilderness values taught in class will surely differ from local teaching in Arctic Village or Kaktovik, thus reinforcing the roots of inequity. I support providing avenues for discover, including paying for solo trips for refuge staff, as opposed to “wilderness values class.”

Comment 032626.013
Greg Warren

V1, 2-9, 2.4 Goal 2, Strategy: Other Wilderness management strategies should be identified to control impacts where necessary. Address the possibility of limiting the number and location of aircraft landings and related impacts.

3.40.4 Goal 3 (including objectives)

Comment 136801.036
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-10. Objective 3.1. Please explain how the important baseline studies of the three Wild Rivers will be meshed with the Inventory and Monitoring studies called for by Objective 1.8, Climate Change studies in Objective 1.5, and long-term monitoring of Objective 1.13. How will local people be involved in logistical and providing Traditional Ecological Knowledge for the field studies?

Comment 136805.058
Sean Parnell, Governor
State of Alaska

Page 2-11, Objective 3.2 Assessments and Plans for Newly Designated Rivers. While maintaining our objection to the wild and scenic river review, we question why the baseline assessments for these rivers found in Appendix I would need to be repeated. If the analysis found in Appendix I does not provide sufficient information regarding the river's free-flowing condition, water quality, or river values, we question how such an assessment was adequate to find rivers suitable for recommendation in the first place.

Comment 136805.059
Sean Parnell, Governor
State of Alaska

Page 2-12, Objective 3.3 Wild River Information Sharing. Wild and Scenic Rivers are conservation system units (CSUs), and unless any specific management actions are addressed in the associated CRMP, designation as a Wild River will likely not affect users on the ground as ANILCA provisions already apply to the refuge. Therefore, if information is distributed prior to completion of the CRMP, we request it include the explicit direction in ANILCA that would continue to apply after the CRMP is published. We further recommend that internal staff training be done prior to publication of a general brochure and any associated CRMPs. Additionally, we recommend a specific educational component, such as a river-specific brochure or webpage, be distributed following completion of the CRMP so that users are provided information that reflects actual planning decisions vetted through a public process.

Comment 136805.055
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-10 and 2-11, Objectives 3.1 and 3.2.

-----Comment-----

Both of these objectives state "[t]he assessment and plan for each wild river will incorporate all elements required by the Wild and Scenic Rivers Act, including descriptors of desired conditions and, where applicable, user capacities.. The State has significant concerns about applying user capacities to public uses as it generally conflicts with ANILCA's open-until-closed access provisions – especially considering ANILCA amended the Wild and Scenic Rivers Act. At a minimum, any user capacity developed must be consistent with the criteria and closure process established in the appropriate ANILCA 811(b) and/or 1110(a) implementing regulations depending upon whether user capacities would affect subsistence users.

Comment 136805.056
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-10 and 2-11, Objectives 3.1 and 3.2.

-----Comment-----

river use on the Refuge is an order of magnitude lower than on rivers in the contiguous states which flow through designated wilderness. For example, the Middle Fork Salmon River in Idaho is a .premier. wilderness float trip and is managed as a primitive recreational experience allowing 387 private parties and 306 commercial parties – with party sizes up to 30 people – during a lottery permit season. By comparison, the most popular river on the Refuge, the Kongakut, has only 240 visitors per year, and some of those visitors are hikers who never float the river. The idea that any river on the Refuge has reached its user capacity is flawed, and instituting user capacity restrictions appears to be management for management’s sake. The expense to reach rivers on the Refuge is self-limiting. Instituting user capacity restrictions on rivers only accessible by air is inherently more complicated than on road-accessible rivers as perceived crowding at access points typically occurs because of weather delays, which are outside the control of permit systems. The cost to administer user capacity restrictions would be better spent on clean-up and maintenance of popular camping areas, or educational efforts.

Comment 136805.057
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-10 and 2-11, Objectives 3.1 and 3.2. Both of these objectives state .[t]he assessment and plan for each wild river will incorporate all elements required by the Wild and Scenic Rivers Act, including descriptors of desired conditions and, where applicable, user capacities..

-----Comment-----

we request that .where applicable. be replaced with .where appropriate. in the above quote.

Comment 136952.003
Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Virginia Tech Field Station

In the section 2.1.3 Goal 3 pertaining to the refuge’s Wild and Scenic Rivers the plan is also silent on defining management objectives related to the appropriateness of permanent campsites and trails and to management efforts designed to avoid/minimize future visitation impacts. This plan should establish clear and specific statements of the desired wilderness resource and social (experiential) conditions that managers seek to sustain for the refuge to guide development of the tiered management plans identified in this section. This should be followed by a description of the management strategies or actions designed to achieve and sustain those conditions, such as LNT educational efforts or visitor regulations. It fails to do so for both Wilderness and Wild and Scenic Rivers management.

Comment 136998.008
Thor Stacey

I would ask that Wild Rivers within the refuge not be advertised.

Comment 136816.010
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

I suggest that Goal 3 be broadened to include all rivers, and not be limited to just designated Wild Rivers. There are many, many wild and free and pristine rivers throughout the Refuge. Whether a river is within a Wilderness area, is a designated a Wild River, or not, all are integral to the wilderness, habitat, and biological value of the Refuge, and they all should be managed accordingly.

Comment 136816.011
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

There should be goals and objectives to ensure that not just rivers, but also lakes and streams, are managed to be maintained undisturbed in their natural,pristine condition. In other words, the ecological functions, character,and values of all water bodies within the Refuge should be protected.

Comment 032626.014
Greg Warren

V1, 2-10, 3.1 Goal 3, Strategy: Scoping for CRMPs was initiated in 1993, so the CRMPs need to proceed quickly due to failure to act considerations (5 USC 706(1)).

3.40.5 Goal 4 (including objectives)

Comment 137013.009
Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club

2-13 Objective 4.3, Subsistence Access. ANILCA ensures that snowmobiles, motorboats, and “other means of surface transportation traditionally employed” can be used by rural residents engaged in subsistence activities. Objective 4.3 states that the Refuge will conduct a traditional access study designed to “...help determine where and what activities have occurred on the Refuge.” It is silent on what “other means of surface transportation,” if any, were traditionally employed prior to December 2, 1980 on what is now Refuge land.

The Service is avoiding the question of whether other means of surface transportation were traditionally employed pre-ANILCA on what are is now Refuge land. Other means of surface transportation include off-road vehicles. If prior to the establishment of the Refuge off-road vehicles were traditionally employed for subsistence purposes on what is now refuge land, the vehicles are allowed. In the absence of pre-ANILCA use, off-road vehicles are prohibited.

We recommend that the final Plan include a traditional use determination of other means of surface transportation traditionally employed. Revised CCP's for other national wildlife refuges in Alaska have included such determinations. Arctic NWR is required under ANILCA to follow suit.

Comment 136820.008
Cindy Shogan, Executive Director
Alaska Wilderness League

The goal should also address the Refuge's role in implementation of the International Porcupine Caribou Agreements and should recognize that the rural residents in Alaska who have harvested animals from the Porcupine Caribou Herd for customary and traditional uses "should participate in the conservation of the Porcupine Caribou Herd and its habitat."

Comment 136817.017
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

ASRC and NSB strongly support the inclusion of Goal 4, relating to subsistence use, and its related objectives, in the final revised Plan. ASRC and NSB believe, however, that the USFWS should clarify the timeframes for Objectives 4.3, 4.4, and 4.5. The Draft Plan identifies these objectives as "Short-term Priorities (5-8 years)." Draft Plan at 2-13. However, as described in the Draft Plan, activities to accomplish each of these objectives appropriately would commence sooner than five years after Plan approval. ASRC and NSB believe that it is important for the activities identified under these three objectives to be undertaken sooner rather than later, and that the statement of a five to eight year timeframe is misleading and inappropriately distant. ASRC and NSB requests that USFWS clarify those Objectives 4.3, 4.4, and 4.5 are nearer-term priorities than five to eight years after Plan approval.

Comment 136817.018
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

in the Strategy sections of both Objectives 4.4 and 4.5, the Draft Plan sets forth examples of governmental and other entities with which USFWS will develop partnerships and coordinate in order to implement and achieve those objectives. Although ASRC understands that these lists are not intended to be exclusive, ASRC respectfully urges that ASRC and the Village of Kaktovik be specifically identified in each of these objectives in the final revised Plan.

Comment 136796.011
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

We support the Service's plan to compile data pertaining to subsistence use, as outlined in Objective 4.4 of the Draft CCP.⁴⁵ We urge the Service to apply the compiled information as well as to fill information gaps in order to ensure that the rights of federally qualified subsistence users will be preserved, while also assuring the protection and long-term viability and natural diversity of wildlife and their associated habitats within the Refuge.

Comment 136750.002
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

The two important goals I see that are important for us that -- locally that touches us are Goal 4, the refuge provides -- which the refuge provide continued subsistence opportunities to federally-qualified rural residents consistent with ANILCA and these activities are -- should occur or should be occurring even before this plan is approved but the activities include working with Kaktovik and using advisory groups to address our subsistence issues. Also compile existing and historical subsistence use data. Please continue those, continue the refuge and the RIT or the Refuge Information Technical prog -- Technician program with local employees and provide permanent employees year-around and a year-around office here in Kaktovik because we're the only village that is located in -- within ANWR.

Comment 136801.037
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.1.4 Goal 4: Continued Subsistence Opportunities
We support this goal, and urge greater coordination and partnership with local communities and tribal governments as part of the strategies for all objectives.

Comment 136801.038
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

The goal should also address the refuge's role in implementation of the International Porcupine Caribou Agreement's including that the rural residents in Alaska who have harvested Porcupine Caribou for customary and traditional uses "should participate in the conservation of the Porcupine Caribou Herd and its habitat."

Comment 136801.039
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Objective 4.2. In addition to the RIT positions, we also urge there be a long-term goal for additional professional level staff be hired from and be stationed in the local communities.

Comment 136801.040
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

This section should also address how the refuge coordinates with polar bear management, including conflict avoidance, education of visitors, and the polar bear patrols. How does the refuge coordinate with the Service's Marine Mammal Management program? How are local people involved?

Comment 137014.005
Dan Ritzman, Alaska Program Director
Sierra Club

-----Preamble/Intro-----

Goal 4

-----Comment-----

The goal should also address the Refuge's role in implementation of the International Porcupine Caribou Agreements and should recognize that the rural residents in Alaska who have harvested animals from the Porcupine Caribou Herd for customary and traditional uses "should participate in the conservation of the Porcupine Caribou Herd and its habitat."

Comment 136805.060
Sean Parnell, Governor
State of Alaska

Page 2-13, Objective 4.1, first paragraph. We question this objective's rationale and strategy. A simple rationale, such as .the refuge is mandated by ANILCA to provide subsistence opportunities,. may be better served here.

While ANILCA does specify that the opportunity for continued subsistence uses must be consistent with Sections 303(2)(b)(i) and 303(2)(b)(ii), this opportunity need not be consistent with the purposes carried forward from the original Arctic Range on areas where they may apply. We request the objective explicitly state that subsistence opportunities must be consistent with the appropriate ANILCA purposes.

The rationale implies that subsistence uses have an absolute priority preference, which is incorrect. We request that the sentence .ANILCA also requires a priority preference for subsistence uses. be modified to better reflect direction found in Section 802(2) of ANILCA, which states . . . 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.....

Also, ANILCA Section 810 does not direct the Service to .ensure that these uses and activities do not =significantly restrict' subsistence opportunities on Refuge lands,. but rather sets up a process by which the public would be notified of actions, which the Service has determined would significantly restrict subsistence uses, and further directs the land management agency to evaluate whether such a significant restriction is necessary, to minimize public lands being affected, and take reasonable steps to minimize adverse impacts. Moreover, the 810 Analysis is required for specific actions when they are proposed and is not conducted as a yearly general review.

To incorporate the above comments, we offer the following suggestions for your consideration.

The Refuge is mandated by ANILCA to provide the opportunity for continued subsistence uses by local residents when consistent with other Refuge purposes found in ANILCA. ANILCA also provides that "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"[. requires a priority preference for subsistence uses]. To meet these mandates, the Refuge will annually evaluate the effects of proposed research and other uses of the Refuge, as directed by ANILCA Section 810[, to ensure that these uses and activities do not significantly restrict subsistence opportunities on Refuge lands.]

Comment 136805.061
Sean Parnell, Governor
State of Alaska

Page 2-13, Objective 4.3 Subsistence Access. We support the intent to conduct a traditional access study and especially appreciate the intent to begin interviewing elders and other long term residents that can share first-hand knowledge. We encourage the Refuge to embark on these elder interviews as soon as practicable, even if the rest of the study does not get underway quite as quickly, as these living residents are a diminishing source of valuable historic information.

Comment 136805.062
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-13, Objective 4.3 Subsistence Access.

-----Comment-----

Section 811(b) of ANILCA provides that use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed..., and Section 1110(a) of ANILCA, provides for use of snowmachines... motorboats, airplanes, and nonmotorized surface transportation methods for traditional activities.. It is therefore equally important to understand what modes of access and activities have generally occurred across the Refuge. We request the Service avoid using the term traditional access study. and re-characterize this as a study of pre-ANILCA activities and associated modes of access and recommend the Service refer to a similar objective in the Selawik CCP for guidance.

Comment 032662.008
David McCargo

The Refuge should be encouraged to gather oral histories from the Native "Elders" as suggested. Such histories would be important to document insofar as possible what really constituted traditional use by local peoples and perhaps more importantly capture insights into what is a quickly vanishing way of life. This might also be a good way to interest and involve younger Natives in the Refuge.

Comment 136998.009
Thor Stacey

I also support effective monitoring of these harvests and would encourage an addition of and objective as follows: conduct a study of subsistence harvest utilization, methods and adapting means of harvest to include wound loss, failures to salvage/want and waste and mechanized pursuit of game.

Comment 136816.012
John Strassenburgh

-----Preamble/Intro-----

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-----Comment-----

Goal 4 Objectives

The first bullet makes reference to advisory groups. I suggest that any advisory group be diverse, and include some members who are not subsistence users and not necessarily hunters. When establishing management policy, I think it is important to have the benefit of diverse perspectives.

3.40.6 Goal 5 (including objectives)

Comment 032619.003
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

Goal 5 which speaks to recreational activities should more explicitly identify traditional activities that are part of the recreational values the original Refuge was created to protect. In so doing, we strongly urge an approach that recognizes the human component of the ecosystem and makes people feel welcome in the refuge, especially for pursuit of those traditional activities such as hunting and trapping, which are of particular concern to the Board of Game.

Comment 136794.005
Bill Iverson, President
Alaska Outdoor Council

Goal 5: The Refuge provides a place for wildlife-dependent and wilderness-associated recreational activities that emphasize adventure, independence, self-reliance, exploration, and solitude while protecting the biological and physical environments. Is it the intent of the Refuge staff to keep the recreational use of ANWR down to around 1,000 -1,250 visitors a year? The channeling of management direction by adoption of the Refuge Goals, proposed in Chapter 1.62, would lead to a reduction in wildlife-dependent and wilderness-associated recreational activities within the Refuge.

Comment 136800.008
Debbie Miller, Author
Caribou Enterprises - Full

Objective 5.2: I highly support this objective which avoids the placement of public use interpretive signs, structures, and installations. Keeping it wild and perpetuating opportunities for adventure, exploration and discovery --- without signs, kiosks, trails, and structures--- is certainly the intent of the founders and advocates for the original Arctic Range. This objective is also in keeping with Goal #2.

Comment 136800.009
Debbie Miller, Author
Caribou Enterprises - Full

Objective 5.8: Visitor Use Management.

Some river corridors, such as the Kongakut, receive an abundance of visitors between commercial and private float trips. I wholly support visitor use controls to minimize impacts. All of us have to remember that our number one priority is to maintain and protect the wilderness character of the Arctic Refuge. If too many parties are on the river at the same time, and damage is occurring, be it habitat degradation, trash or sanitation issues, management needs to limit the number of both commercial and private parties through permits.

Management should establish group size limits for both commercial and private, and monitor the number of parties on those rivers that are intensively visited. I personally think that 8 people should be the limit for any party, be it commercial or private, for any wilderness trip.

With our technology age, it should be relatively easy and cost effective to implement a registration or permit system so that management would have a better idea of visitor use and possible impacts each year. If several parties register for trips on the same river, at the same time, it's up to management to control overuse. Managers can't maintain or protect the wilderness character of a river corridor unless they know who is visiting the area, number in party, and timing of the visit. Groups with over four people, commercial or private, should register their planned trip with dates.

Management might not want to control all visitor use, but again, it's the extraordinary wilderness character of the refuge that must be protected. This fundamental value should guide and govern management philosophy.

Comment 136800.003
Debbie Miller, Author
Caribou Enterprises - Full

-----Preamble/Intro-----

I recommend that you revise a few of the goals to better reflect the purposes for which the Arctic Refuge was established:

-----Comment-----

Goal 5: Modify: The Refuge provides the opportunity for recreational activities such as hiking, floating, hunting, fishing, wildlife viewing, and camping, in a manner that protects the special values of the Refuge. (this better relates to visitor use planning objectives)

Comment 136801.041
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Objective 5.2. There should not be signs, structures, and installations in the refuge as this would detract from the wilderness-associated recreational experiences in the refuge, and they should not be allowed under any management category in the Arctic Refuge.

Comment 136801.042
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Objective 5.3 Visitor Use Management Plan. Please do not use the Acronym (VUMP)! How about "Visitor" Plan instead for short. The plan should contain the time-line by which this plan will be accomplished.

Comment 136801.043
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

This plan should also engage and consult at each step of the planning process with those knowledgeable and experienced with visiting the refuge, including commercial guides, independent travelers, hunters and fishermen, air taxi operators, local experts in the adjacent communities who travel the coasts and rivers, and conservation and environmental organizations whose members are common refuge visitors.

Comment 136801.044
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Objective 5.5 Visitor Management Coordination with Neighbors.
This objective should also include strategies for better engagement with communities that are "gateway" locations, especially Arctic Village and Kaktovik. Do they want to host a full refuge Visitor Center off refuge, on lands in their communities (more than the kiosks at the airport)? Are they interested in developing a visitor center as a means of improving sustainable economies? What are their ideas? While the facilities are listed in
While community visitor centers in gateway communities are mentioned in Objective 5.8, they are not well developed there. What is the role of the interagency Coldfoot Visitor Center? What role in Arctic Refuge education and engagement does the Alaska Public Lands Information Center, housed at the Morris Thompson Cultural and Visitor Center in Fairbanks and visited by over 100,000 people in 2010, play?³³

Comment 136805.043
Sean Parnell, Governor
State of Alaska

Page 1-24, § 1.6.2, Goal 5. A significant portion of the Refuge is not designated wilderness, and it is therefore inappropriate to manage the entire Refuge as designated wilderness. This concern permeates throughout the draft Plan in multiple objectives and through the proposed management

guidance. We request modification of Goal 5 and that the Service correct this language elsewhere in the draft Plan where it is similar. We request Goal 5 be modified to better follow Congressional direction found in the Refuge Administration Act, as amended, and offer the following clarification for your consideration.

The Refuge provides a place for continued, compatible priority wildlife-dependent [and wilderness-associated] recreational opportunities [activities] that emphasize adventure[, independence, self-reliance,] and exploration[, and solitude] while protecting the biological and physical environments.

Comment 136805.063
Sean Parnell, Governor
State of Alaska

Page 2-15, Objective 5.1 Visitor Independence, Self-reliance, and Freedom. A significant portion of the Refuge is not designated wilderness; therefore, it is inappropriate to manage the entire Refuge as designated wilderness. We request this objective clarify it applies only to designated wilderness.

Comment 136805.064
Sean Parnell, Governor
State of Alaska

Page 2-15, Objective 5.2 Experience of Adventure, Challenge, Exploration, and Discovery. We question if these types of improvements would in fact diminish the area's quality as an adventuring ground, and submit they could also serve as important tools to manage public use. As such, it is inappropriate to eliminate management options prior to development of the Visitor Use Management Plan. We recommend this objective instead commit to consider these management tools in the context of the Visitor Use Management Plan.

Comment 136805.065
Sean Parnell, Governor
State of Alaska

Page 2-16, Objective 5.3, Visitor Use Management Plan. The second paragraph on page 2-16 inappropriately expands the Wilderness Stewardship planning processes to the Visitor Use Management planning process on a Refuge-wide basis. As noted in Objective 2.3, the scope of the Wilderness Stewardship planning process is limited to the management of designated wilderness. Because wilderness cannot be designated through the planning process, it is inappropriate to expand the Wilderness Stewardship planning process refuge-wide, to include non-wilderness areas of the refuge.

Comment 136805.066
Sean Parnell, Governor
State of Alaska

Page 2-18, Objective 5.8 Visitor Use Management. This objective and the identified strategy inappropriately expand management requirements for designated wilderness to all parts of the Refuge. The State acknowledges that management to protect wilderness characteristics in the parts of the Refuge that are not designated wilderness may be appropriate, but this objective and implementing strategy inappropriately rely on the definition of wilderness from the Wilderness Act

(i.e., .unconfined recreation,. .untrammled,. .primeval character.) for management standards for the parts of the Refuge that are not designated wilderness.

Comment 136805.068
Sean Parnell, Governor
State of Alaska

Page 2-19, Objective 5.9 Aircraft Landing Impacts. This objective must fully recognize direction found in Section 1110(a) of ANILCA, which specifically provides for aircraft landings in the Refuge. While these landings are subject to reasonable regulation, these landings ""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."

Comment 136805.067
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-18, Objective 5.8 Visitor Use Management.

-----Comment-----

we have significant concerns about specific language in this objective including: references to pristine landscapes; the entire Refuge as a nationally important benchmark for wilderness character; considering vague national constituencies over refuge visitors and local residents living within refuge boundaries; and perpetuation of the Refuge's .primeval character.. This objective is also unnecessary as these types of management actions will be addressed, as well as any associated implementation strategies, through completion of the Visitor Use Management Plan outlined in Objective 5.3.

We object to what appears to be an effort to apply management direction that is inconsistent with federal law and request the objective either be significantly revised or removed from the Plan.

Comment 136805.069
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page 2-19, Objective 5.9 Aircraft Landing Impacts.

-----Comment-----

this objective is unnecessary as this management decision will be addressed, as well as any associated implementation strategies, through completion of the Visitor Use Management Plan outlined in Objective 5.3. We request it be removed from the Plan.

Comment 136952.004
Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Station

In section 2.1.5 Goal 5 on recreation management the plan emphasizes "employing the least intrusive means of managing public use..." I suggest that this type of "hands-off" management

approach has led to past visitor impact management problems and will only hasten the occurrence of future visitor impacts. This approach infers that it's important for visitors to not encounter Leave No Trace educational messaging that could encourage the learning and application of low impact practices. If as stated in the plan, the staff seek to promote "visitor independence, self-reliance, and freedom" they should redirect the plan to prohibit aircraft landings within the Wilderness and Wild & Scenic River corridors rather than discourage effective visitor education efforts. Pack-rafting, as opposed to flown-in commercial rafters and hunters, epitomizes the qualities of visitation this Plan purports to encourage yet I was unable to find mention of this common and increasing type of use in Chapter 2 of the plan. Why does the plan make no effort to deter the growing, high-impact commercial river rafting and guiding services (including hunting/fishing) – which are in clear contradiction to their stated visitation objectives emphasizing "visitor independence, self-reliance, and freedom?" Further, I could find no mention of if aircraft will continue to be permitted to land on Wilderness and Wild & Scenic corridor lands (presumably they will). This practice is in considerably greater conflict with the stated Refuge goals than are the development of active low impact educational programs! I hesitate to use the word hypocrisy but it seems to fit here.

Our trail monitoring work has documented the development of many visitor-created trails, particularly in the Atigun Gorge area. The widespread internet-enabled sharing of GPS tracks and campsite locations by refuge visitors will likely ensure the creation of additional trails and campsites in the future (if unaware of this do some Google searches). Failure to educate visitors in appropriate dispersed "tundra-walking" and low impact "pristine site" camping practices ensures that the per capita impact of ANWR's visitors will be much greater than is necessary and that informal (visitor-created) trails and campsites will continue to proliferate over time.

Once trails and campsites appear they attract even greater use and experience in other protected areas reveals that they are generally permanent (talk to managers at Denali and Gates). It is exceedingly difficult to reactively deter their use and restore them to pristine conditions. Experience reveals that a strong proactive management style is the best possible visitor impact management practice. In wilderness and pristine backcountry settings a strong educational approach to deterring these problems is the best available practice, yet this plan reads like such an orientation is to be prevented in order to "maximize the visitor's freedom and independence." Again, I suggest removing all outfitters and guides if that is an overriding management objective. I've seen no research suggesting that wilderness visitors detest being informed with low impact practices appropriate to the area they are visiting – in fact, results from numerous visitor studies reveal that visitors strongly prefer educational management responses to all other management options presented to them. I suggest a substantial revision of this section.

If management believes that a strong educational program is inappropriate then I strongly recommend moving from a dispersal to a containment strategy for avoiding/minimizing visitor impacts. For example, this would involve creating a sustainably designed formal trail, waterfall vista site, and campsites in the Atigun Gorge. Visitors would be naturally attracted to and would largely stay on these designated trails and sites and minimize associated off-trail impacts. I want to emphasize that a failed dispersal strategy (guaranteed unless ANWR implements a strong low impact educational program), would result in far greater cumulative visitor impact. In other protected areas our research has found that numerous duplicative parallel informal trails will quickly form and that their aggregate impact exceeds that of a single formal trail (and the same w/campsites). This plan should make these choices and establish the management direction to guide all tiered subsequent plans. The current draft fails to accomplish this important function.

Comment 136952.005
Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Station

Section 2.1.5, Goal 5, Objective 5.8 – this section does specify “an environment essentially free from visitor impacts.” However, this section reiterates that “the least intensive and visible management activities” will be the focus. This seems to set refuge staff up for failure by removing active and effective visitor education from their toolbox. What specific actions will the refuge employ to achieve their management objectives relative to visitor use? Requiring all overnight visitors to obtain a permit and using that opportunity to actively impart low impact practices seems the only logical approach for a successful visitor impact management program. This is the most common and effective approach for most protected natural areas – I fail to understand why ANWR resists such an approach. For common day-use hiking areas the provision of trailhead information also seems important.

Comment 136816.013
John Strassenburgh

-----Preamble/Intro-----

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-----Comment-----

Goal 5 Objectives

The second bullet is to develop a Visitor Use Management Plan. This objective should be deleted and replaced with the following: “Develop a Wilderness Stewardship Plan, a component of which would be a Visitor Use Management Plan;”

Comment 136816.014
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

This Goal 5 is integral to not only the essence of the visitor experience, but also touches on most aspects of the Refuge management. There are a lot more objectives that should be included under Goal 5. This is an organizational challenge, because many management objectives could be listed under, for example, Goal 1, Goal 2, Goal 5, or all three. For example, the suggestion I have (see above) of adding an objective to monitor and maintain a natural landscape could be under any or all these goals.

Further, to manage visitor use, and preserve the wilderness recreational activity qualities specified in the Goal 5 statement, there has to be compliance checking and monitoring of impacts, as well as a means to identify, assess, prioritize, and determine how best to remediate the impacts. Again, there is a lot of overlap among goals 1, 2, and 5, but my impression is that the objectives for Goal 5 are incomplete.

Comment 032626.015
Greg Warren

V1, 2-19, 5.9 Goal 5, Strategy: The inventory of commonly used landing areas is critical and should be a priority for applying Refuge resources. Other strategies that should be listed include limiting aircraft to discrete landing zones, and if necessary, seasonally limiting the number of aircraft that can land in each zone through permitting practices. (To be clear, the Refuge must not have any FAA certified runways.)

3.40.7 Goal 6 (including objectives)

Comment 136820.009
Cindy Shogan, Executive Director
Alaska Wilderness League

While we generally support Goal 6 (Evaluation of the Effects of Climate Change), it should be expanded to include the non-intervention policy described in the climate change Management Guidelines to ensure consistency in the CCP's approach.

Comment 136820.010
Cindy Shogan, Executive Director
Alaska Wilderness League

Objective 6.1 should also specifically address effects of climate change on polar bears and other marine mammals that depend on refuge habitats. DEIS at 2-20.

Comment 136796.008
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

The Service's own research and monitoring agenda will rely heavily on Objective 1.2 to revise the Refuge's Inventory and Monitoring (I&M) Plan, Objective 1.3 to develop a Research Plan, and Objective 1.4 to conduct an Ecological Review.[39] Defenders supports these objectives and suggests that they be cross-referenced with relevant objectives under Goal 6, adding language to explicitly state that the Ecological Review must identify species and habitats that are vulnerable to climate change.

Comment 136801.045
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.1.6 Goal 6: Evaluation of the Effects of Climate Change We support this goal but it should be expanded to include the non-intervention policy described in the climate change Management Guidelines so that the plan is consistent in its approach.

Comment 136801.047
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-20. Objective 6.1 This section should also specifically address effects of climate change on polar bears and other marine mammals that depend on refuge habitats.

Comment 136801.048
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-21 Objective 6.4 Collaboration on Climate Change. We urge the Refuge to develop another objective focused on partnerships and work with local villages and tribes to involve them in not only collecting traditional ecological knowledge, but plans for integrating the people and their knowledge in an ongoing basis (TEK is not a static “thing” it is a process) for each of the other objectives in this section.

Comment 137014.006
Dan Ritzman, Alaska Program Director
Sierra Club

While we generally support Goal 6 (Evaluation of the Effects of Climate Change), it should be expanded to include the non-intervention policy described in the climate change Management Guidelines to ensure consistency in the CCP’s approach.

Comment 137014.007
Dan Ritzman, Alaska Program Director
Sierra Club

Objective 6.1 should also specifically address effects of climate change on polar bears and other marine mammals that depend on refuge habitats. DEIS at 2-20.

Comment 136805.070
Sean Parnell, Governor
State of Alaska

Page 2-21, Objective 6.3 Biological Components Vulnerable to Climate Change. We request the objective clearly identify what is meant by “vulnerable species, ecological communities,” and “trust responsibilities.”

Comment 032628.003
Fran Mauer, Alaska Chapter
Wilderness Watch

Goal 6: The Final Plan should modify this goal to specify that natural systems will be allowed to adapt and evolve (non intervention), consistent with Management Guideline 2,4.10.1

Comment 000017.014
Wilderness Watch - Full

Goal 6 needs to be expanded to include the non-intervention policy described in the climate change management guideline.

Comment 136995.002
Barbara Roman

Goal 6 needs to be expanded to include the non-intervention policy described in the climate change management guideline.

Comment 136813.002
Allen Smith

Goal 6: Should be reworded to “The effects of climate change on Refuge resources are evaluated through ‘non -invasive’ scientific research and monitoring.”

3.40.8 Goal 7 (including objectives)

Comment 136820.011
Cindy Shogan, Executive Director
Alaska Wilderness League

the objectives identified to achieve Goal 7 need to better provide the coordination mechanism between projects described here as well as listed as inventory and monitoring and research under other objectives, including those done by the Refuge staff itself, other arms of the Service, other federal agencies, cooperators, collaborators, tribes, local communities, and others.

Comment 136789.006
Bob Childers, Executive Director
Gwich'in Steering Committee

We insist that the drainages of the East Fork Chandalar, Christian and Sheenjek Rivers are not suitable for Wilderness.

The Draft emphasizes current activities as the benchmark, but we must be concerned about the future sustainability of our communities. Wilderness suitability may affect logging and housebuilding, our hopes of repopulating Christian Village, the construction of trapping cabins and the viability of trapping, or the viability of small enterprises in our area or on our allotments, or the evaluation of a small hydro site below Arctic that may one day be economic, displacing diesel. Some day we might say ok - we will not need this area or that, but it is too soon to know now. You should come back in one or two generations and ask again.

Comment 136801.049
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

n general, the objectives need to better provide the coordination mechanism between projects described here as well as listed as inventory and monitoring and research under other objectives, including those done by the refuge staff itself, other arms of the Service, other federal agencies, cooperators, collaborators, tribes, local communities, and others.

We suggest that an additional objective is needed to create a more robust and transparent coordination plan for the Arctic Refuge with its other Service offices and branches, to address overlapping outreach, inventory, monitoring, and research functions that support Management goals. These sister offices include: Refuges, Conservation Planning—in its implementation of the Fish & Wildlife Coordination Act and other laws to uphold FWS trust resource values, Endangered Species Act consultations and other responsibilities, Marine Mammals Management for polar bears regarding critical habitat, incidental take/incidental harassment authorizations, etc, along with Fisheries and Realty, as well as the adjacent Yukon Flats Refuge. Doing so would optimize opportunities to advocate in multiple arenas with other stakeholders including to address threats from beyond the refuge boundary including offshore oil exploration and development that would affect the integrity of the Refuge and its purposes.

Comment 136801.051
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

We strongly urge that any data collected in the refuge be provided to the refuge as a public record as a condition of the special use permitting or partnership agreements for cooperators, collaborators, etc.

Comment 136801.052
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-23 Objective 7.3 International Treaties and Agreements. Because upholding obligations of international treaties is one of the specific purposes of the refuge, this section should have objectives spelled out for each major treaty and agreement describing how the refuge and Service's other offices work to further its work implementing these treaties, particularly habitat protection obligations. Work related to the Agreement on the Conservation of Polar Bears should be included in this section.

Comment 136801.053
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

p. 2-23. Baseline Water Quality Study. We urge that this project be started sooner due to the presence of many planned exploration and development projects outside the refuge that could affect the water quality of refuge lakes, ponds, wetlands, rivers and coastal lagoon waters due to air borne pollutants and spills.

Comment 137014.008
Dan Ritzman, Alaska Program Director
Sierra Club

In general, the objectives identified to achieve Goal 7 need to better provide the coordination mechanism between projects described here as well as listed as inventory and monitoring and research under other objectives, including those done by the Refuge staff itself, other arms of the Service, other federal agencies, cooperators, collaborators, tribes, local communities, and others.

Comment 136813.003
Allen Smith

Goal 7: Should also be reworded to “conduct non-invasive research and monitoring.”

Comment 136987.001
Susan Newell

collaboration with other scientific agencies and studies is will provide a tremendous amount of knowledge - just don't let the observers/researchers alter the environment in the process - non-intervention guidelines are needed.

3.40.9 Goal 8 (including objectives)

Comment 032619.004
Cliff Judkins, Chairman
Alaska Board of Game

-----Preamble/Intro-----

The following specific points further define the concerns and issues expressed by the Board:

-----Comment-----

The plan suggests that abandoned hunting camps and cabins will be cleaned up. Does "clean up" constitute removal? While such structures and improvements should not pose harm to wildlife and people nor destroy the environment, they should be considered part of the heritage and character of the land and should remain an integral part of the Refuge's living landscape. Such places can offer shelter and related amenities to people enjoying their activities on the Refuge. Structures and campsites in need of maintenance could receive modest repairs to provide useable temporary shelters for people and acquaint them with the pre-refuge history of each site. Goal 8 which addresses conservation of cultural resources to allow users of the Refuge to appreciate the interconnectedness of the people of the region and their environment should incorporate this recommendation.

Comment 136750.003
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

Continue to conduct traditional access studies, develop harvest monitoring programs in partnership with lo -- with Kaktovik and, in particular, Goal 8, which says the refuge cultural resources, historic and prehistoric, are conserved to allow visitors and community members to appreciate the interconnectedness of the people, our people, Inupiat people of the region and our environment and

these activities and commitments that should be taking place is to achieve the various goals to develop a cultural resource management plan. Partner with the Village of Kaktovik and others to define projects. In particular, with North Slope Borough Historical -- the IHLC, the Independent Historic Language Commission, to define the project for the protection of cultural and historical resources.

Comment 136750.004
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

strongly consider working on traditional economic, ecological knowledge and also, very important, have the U.S. Fish and Wildlife Service or the Arctic National Wildlife Refuge sign a memorandum of agreement for government to government relationship with the Village of Kaktovik and other local regional groups that are -- that would take care of us.

Comment 136750.005
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

provide cultural resource training to the refuge staff or the -- locate -- to be located here in Kaktovik.

Comment 136750.006
Fenton Rexford, Tribal Administrator/Member
Native Village of Kaktovik/Kaktovik City Council

Continue to monitor the sites that are vulnerable to vandalism or trespassing in the private lands within ANWR such as the allotments in and around the Arctic National Wildlife Refuge and also create a cultural inventory of written and oral testimonies about the Arctic Refuge. Most importantly, compile a place name directory and atlas of all the cultural and historical sites.

Comment 136801.054
Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center

Sec. 2.1.8 Goal 8 Cultural Resources

This is an important goal for the refuge given its subsistence purpose, and we urge consultation and incorporation of traditional knowledge, tribes, and local communities in all objectives.

Comment 136902.001
Robert Childers

wanted clarification on what several of the cultural-subsistence objectives entailed and why the FWS is doing them: Specifically the Traditional Access Study and the other cultural studies (Arch, Ethnographic, Cultural Plan), what is the purpose for doing them and effects of these studies. He is concerned about the sensitivity of Native people regarding the FWS doing these studies.

Comment 136949.001
Sherry Furlong

Goal 8: I like this goal. The word "co-operat" is not necessary (self evident). "Define project", is a complete goal.

Comment 136816.015
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled "Arctic_DraftCCP_SummryRpt_052511.pdf"), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Goal 8 Objectives

The 6th bullet says "monitor at-risk sites." I suggest adding the words "identify and" so that the bullet reads: "identify and monitor at-risk sites.

3.40.10 Goal 9 (including objectives)

Comment 136817.019
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

Goal 9 states that "The Refuge provides information to diverse audiences, near and far, to enhance their understanding, appreciation, and stewardship of the Refuge and its resources, and reflecting the nation's interest in this place." Draft Plan at 1-24, 2-27. If, however, the Refuge is to fulfill this goal, the information provided must be accurate and complete, and free from any apparent or perceived bias. The Refuge was established for a number of purposes. ASRC and NSB maintain that any goal relating to informational and educational opportunities should aim to enhance understanding and appreciation of all of the Refuge's purposes, and not only selective purposes that serve to advance a particular view or agenda.

ASRC and NSB oppose the inclusion of Objective 9.8, dealing with "National Interest," in the final revised Plan. Objective 9.8 of the Draft Plan states:

The people who live nearby and/or visit Refuge lands will always be important constituents of the Refuge and Service. The Refuge also needs to be mindful of the millions of people across the nation that have an interest in this place. There is a large constituency that will never set foot on the Refuge but value the Refuge as a symbolic landscape and heritage for future generations. Their interests need to be among the factors considered as the Refuge develops its management plans, conducts field work, and informs the public about the Refuge environment.

Draft Plan at 2-30. As discussed above with respect to the special values of the Refuge, the interests of local residents directly affected by management decisions must be given a higher priority than the symbolic interest of people who will never set foot in the Refuge. The Refuge was established and must be managed for a number of purposes. However, protection of symbolic interests of individuals who have no direct connection to the Refuge is not among these enumerated purposes. Accordingly, we believe Objective 9.8 should be struck from the final revised Plan.[3]

Comment 136796.010
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

The Arctic Refuge, home to some of America's most iconic wildlife, is located on the front lines of climate change and serves as an early sentinel for the rest of the world. Refuge staff, therefore, have the unique opportunity to serve as a witness and a voice for the resources being impacted. The stories of the impacts of climate change occurring here should be central to the information the Refuge provides to the public through the internet, media, and other outreach resources.

Goal 9 in the Draft CCP states that the Arctic Refuge will inform "diverse audiences, near and far, to enhance their understanding, appreciation, and stewardship of the Refuge and its resources, and reflecting the nation's interest in this place."⁴⁰ Defenders supports this goal, but we urge the Service to expand its scope to more broadly include climate change. While climate change is mentioned with respect to educational materials and programs in Objective 9.6, it should be recognized as an important issue that deserves integration across the full range of information sharing objectives, such as Objective 9.1 to inform the public and Objective 9.2 to inform Refuge users.^[41]

Comment 136968.001
Don Ford, Alaska Director
National Outdoor Leadership School

Under goal 9, we believe that the Refuge should work closely with the organizations permitted to take visitors into the Refuge. This relationship can function as a partnership in which the permitted organization can provide a hands-on education to visitors that a short orientation or written materials cannot. We believe that the visitor that wants to experience the Refuge on a NOLS course with experienced instructors/teachers should be valued equally with the individual that wants to visit the Refuge. It has been our experience that NOLS can do a better job of resource protection than some untrained private visitors can.

Comment 136805.071
Sean Parnell, Governor
State of Alaska

Page 2-30, Objective 9.8 National Interest. We do not object to the Service conducting this type of study in ten-year intervals; however, the Service must remain mindful of the local residents that live within and adjacent to the Refuge. While citizens from across the nation may care about what happens within the exterior boundary of the Refuge, they do not depend on these lands for sustenance or the continuation of their culture. The Service needs to be mindful that people have lived harmoniously in this .symbolic landscape. for over ten thousand years, and their presence predates both the Arctic National Wildlife Refuge and the Arctic Range.

Moreover, an analysis of news articles would likely provide a snapshot of the opinions on the extreme ends of the spectrum. As with most issues, the majority opinion is likely somewhere in the middle. Additionally, while this study appears to be focused on individuals outside of Alaska, it is imperative that Alaskans' views are represented in this study.

Comment 136952.006
Jeffrey Marion, Field Stn. Leader/Adj. Professor
Virginia Tech Field Station

Section 2.1.9, Goal 9 on informing the public – this section introduces LNT educational practices, including safe bear viewing protocols. However, as noted previously, it again ties refuge manager’s hands by stating that “kiosks and signage will not occur on the Refuge, and on-site contacts will be minimized in recognition of the importance that the qualities of freedom and independence have to Refuge visitors.” I dispute that LNT educational efforts compromise visitor freedom and independence, as inferred by these statements. I’d like to see the peer-reviewed publications that support this erroneous position. I’ve not encountered anything resembling these statements in my work with dozens of other protected natural areas, including numerous wilderness areas and Denali NP. This planning language compromises resource protection efforts at the expense of presumably preserving higher quality visitor experiences - and I strongly question any inference that educational programs reduce recreation quality.

Comment 136949.002
Sherry Furlong

Goal 9: Skip the modern media. We don't need overcrowding. Ppl. who appreciate parks & Alaska will make their own way. Having staff available to answer questions & brochures available to mail or e-mail is much appreciated.

Comment 136998.010
Thor Stacey

Goal #9 touches on some very contentious issues in my mind. I read it to mean that the Refuge will, more or less, actively market itself to the general public. In my mind, this runs absolutely counter to the intent of refuge and completely oversteps the agency’s mandated responsibilities. I strongly object to goal #9 and its stated objectives and urge that it be struck from the CCP! This is objection is rooted in my belief that traveling and discovering wilderness should involve effort and by easing this process and “packaging” wilderness the intent is defeated and the resource (social and physical) is degraded and threatened with total destruction.

Comment 136823.001
Ruth Wood

I would like to see additional educational materials, and a method to make reviewing them mandatory.

3.40.11 Vision

Comment 136817.014
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

-----Preamble/Intro-----

ASRC and NSB continue to believe that the draft vision statement should be revised in several important respects.

-----Comment-----

First, the statement should be revised to more explicitly and clearly recognize the substantial value of the Refuge and its resources to the Refuge's indigenous peoples. We do appreciate that this draft vision statement does contain a reference to "traditional ways." And we also appreciate that USFWS revised the earlier version of the draft statement to include language regarding honoring the "native people." However, we believe that more is still necessary to ensure that the vision statement reflects that one of the primary purposes of the Refuge is "to provide the opportunity for continued subsistence uses by local residents." In this regard, in accordance with the relevant provisions of Titles III and VIII of ANILCA, we continue to propose that the following sentence be added to the vision statement: "The refuge and its wild resources continue to provide the opportunity for subsistence use by Iñupiat Natives living within the Refuge and other rural Alaskans, sustaining their physical, economic, traditional, and cultural existence."

Comment 136817.015
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

-----Preamble/Intro-----

ASRC and NSB continue to believe that the draft vision statement should be revised in several important respects.

-----Comment-----

Second, the last sentence of the statement should be revised so that it does not contain the word "wilderness." As the USFWS is aware, the word wilderness has both a common usage and a statutory usage (under the Wilderness Act of 1964). Obviously, not all areas of the Refuge have been designated (or even proposed or recommended as) wilderness. Although we presume that the USFWS intended to use the term in its common usage, this sentence inappropriately suggests a vision where the entire Refuge is treated and managed as wilderness. Given the very highly charged nature of the issue of wilderness designation concerning certain areas of the Refuge, especially the 1002 area, we believe that use of the term "wilderness" in the vision statement, regardless of the USFWS's intention, is highly problematic. The use of the term wilderness in the vision statement can, and undoubtedly will by some, be interpreted to mean that the entire Refuge should be managed as wilderness, regardless of the fact that certain areas of the Refuge are not required to be and should not be managed as such. Use of the term will unnecessarily add to the controversy regarding wilderness designation for certain areas of the Refuge, and only further complicate the USFWS's ability to manage the area in accordance with governing authorities. Accordingly, it should be replaced with a term that will be less controversial and that more accurately represents the status of the Refuge as a whole.

Comment 136800.001
Debbie Miller, Author
Caribou Enterprises - Full

I'd like to suggest that you consider revising the vision statement to read:

"This untamed arctic landscape continues to sustain the ecological diversity and special values that inspired the Refuge's establishment. Natural processes continue, traditional cultures thrive with the seasons, and we honor the land and its diversity of wildlife through responsible stewardship. By exercising restraint, this unique wilderness is passed on, undiminished, to future generations."

Comment 136805.041
Sean Parnell, Governor
State of Alaska

Page 1-23, § 1.6.1 Refuge Vision Statement. In the last sentence, it is not appropriate to imply the entire Refuge is a vast wilderness. when only a portion of the Refuge is designated wilderness.

3.41 TOPIC: Service Mission and Policy

Comment 136817.005

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

The Draft Plan also relies on a one-page January 2010 Director's Memorandum, which apparently relies upon this same flawed reading of 610 FW 4. That Memorandum states: "As you revise the Comprehensive Conservation Plans for Alaska National Wildlife Refuges, you should conduct a complete wilderness review of refuge lands and waters that includes the inventory, study, and recommendation phases, in accordance with 610 FW 4." As noted above, however, 610 FW 4 clearly states that "[w]ilderness reviews are not required for refuges in Alaska" and refers to 610 FW 5.17 "for additional guidance for Alaska." As such, there is no legitimate basis for USFWS to have undertaken a wilderness review for the Refuge as part of this planning process. Accordingly, any action by USFWS to recommend areas for wilderness designation on the basis of this review would be inappropriate and contrary to ANILCA and USFWS policy.

3.42 TOPIC: Significant Issues

3.42.1 Kongakut River Management

Comment 136801.005

Pamela Miller, Arctic Program Director

Northern Alaska Environmental Center

We appreciate the attention in the plan to the highly visited Kongakut River and the importance of maintaining and restoring the pristine qualities of this designated Wilderness area. It is popular for many reasons but especially as a prime location for witnessing caribou on the move to and from this calving and nursery grounds as well as their large aggregations migrating later in the season (a reason that should be mentioned in the CCP, p. 3-4).

3.43 TOPIC: Socioeconomics

3.43.1 Communities

Comment 136885.001
Unnamed 34

Our individual lifestyle in our individual village needs to be understood and recognized.

Comment 032665.001
Unknown Unknown

Gwich'in people need to be a larger part of this document. I don't even see a listing under the table of contents that refers to the local people other than the tribal consultation. There needs to be an entire section on the people that live in the region and the immediate adjacent areas. The people that live here need to have more say and input than non-residents, non-local users and non-local hunters.

3.43.2 Demographics

Comment 136902.002
Robert Childers

He asked if there are any ethnographic clues as to why Native elders talk about large numbers of people living in the Arctic Village region at the turn of the century, indicating populations substantially above what is reported in published cultural documents. Questioned high Native population at the turn of the century.

Comment 159106.001
Joanne Vinton

Increases in population of the indigenous people could cause conflicts with protecting special values. If impacts of population growth have not been addressed, perhaps they need to be.

3.43.3 General

Comment 000065.001
Craig Mishler

24 My concern here is that there is a
25 major deficiency in the CCP in that it does not make
26 any direct connection between the conservation of
27 wildlife habitat and the conservation of Gwich'in
28 language and culture. The Refuge staff lives and works

29 in Fairbanks, but the Gwich'in live right next to the
30 Refuge and make their living from it. They are major
31 stakeholders in the decisions that you make and that's
32 why there's so many Gwich'in here to testify today.

3.44 TOPIC: Step-Down Plans

3.44.1 Cultural Resources Plan

Comment 032647.001

**Judith Bittner, State Historic Preservation Officer
State of Alaska Office of History and Archaeology**

-----Preamble/Intro-----

Regarding the Goals, Objectives, Management Policies, and Guidelines addressed in Chapter 2, the Alaska State Historic Preservation Office (SHPO) supports the U.S. Fish & Wildlife Service's stated objectives with respect to cultural resources. These include the following:

- Objective 8.1: Development of an Integrated Cultural Resource Management Plan (ICRMP) within one year of approval of this CCP/EIS and revision of the ICRMP every 10 years.

-----Comment-----

Of the above objectives discussed in the CCP/dEIS, we believe that development of an ICRMP for the Refuge is critical. Many of these other objectives can be incorporated into the ICRMP and associated cultural resource management protocols can be codified within this essential document.

3.44.2 General

Comment 136795.002

**David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection**

We support the commitment in Alternative E for the agency to address visitor use and wilderness stewardship issues. The final CCP should include a strong commitment to restore wilderness character in areas throughout the Refuge that have had those values reduced by visitor use impacts.

We are concerned that the schedule provided on pages 6-3 to 6-6 indicates that the wilderness stewardship and visitor use management plans would not be completed until 8 or 10 years from now. Given the presence of a number of known and long standing problems with wilderness degradation associated with public use, it would seem prudent to address these issues as soon as possible.

Comment 136822.004

**Wade Willis
Science Now Project**

-----Preamble/Intro-----

Issue: Lack of NEPA compliance regarding the consumptive take of wildlife in the Arctic Refuge, including the major federal action of issuing prospectuses for commercial guided sport hunting activities. The categorical exclusion finding is not appropriate as historical NEPA review in 1988 is inadequate (e.g. did not consider historical, current or future harvest rates) and is not timely being 23 years old.

The public has never been given the opportunity to define the implementation policy for commercial guided sport hunting activities in the Arctic Refuge. Currently, the USFWS allows the legal sale, on the open market, of transferred special use permits that authorize guided sport hunting activities, with a guarantee that the special use permit will be granted to the buyer.

The proposed future step down planning process for developing a sport hunting management plan is not adequate to address unsustainable sport hunting opportunity that is already resulting in significant impacts to wildlife resources as confirmed by existing administrative decision closing guide use areas with the refuge. The 1988 CCP promised a future step down planning process, and the USFWS never complied during the following 23 years. Now, the USFWS wants the public to buy into the same empty promise.

-----Comment-----

Currently, through administrative decision, the USFWS is continuing to marginalize public opportunity to be involved in defining the relationship the USFWS has with the for profit commercial guided sport hunting industry by relegating the review of current sustainable harvest rates to an undefined future step down process, with no language in the draft stating that the future step down planning process for consumptive take of wildlife will include NEPA compliance review.

Comment 032628.036
Fran Mauer, Alaska Chapter
Wilderness Watch

Wilderness Values and Science Related Technologies

The Draft CCP acknowledges that this issue was identified during public scoping as a concern, however it decided to eliminate it from detailed study (Page D-6). This is a rapidly emerging problem across the National Wilderness Preservation System and is not being adequately resolved through the existing Minimal Requirement Decision process. Therefore we recommend that the Final Plan include explicit requirements that the issue of science related technologies relative to Wilderness values be addressed in both the Inventory and Monitoring/Research Plan and the Wilderness Stewardship Plan.

Comment 221407.001
Nancy Beavers

Almost all actions needed to protect ANWR wilderness qualities and experiences have been deferred to some future planning process. Some significant factors should be addressed immediately, including, among others, restoration of wilderness character along river corridors; restriction of aircraft landing sites, setting up zones where aircraft landings are not permitted; management of wildlife including predator control and maintenance of wildlife populations.

Comment 136813.005
Allen Smith

Chapter 6: Implementation and Monitoring is disturbing on two levels. First, the priorities assigned to three critical Step-Down Plans are not representative of their importance to maintaining the wilderness character of the Arctic Refuge. The Comprehensive River Management Plan (Priority 3), the Wilderness Stewardship Plan (Priority 2), and the Visitor Use Management Plan (Priority 2) are all necessary component parts of caring for the wilderness character and wildlife values of the Refuge and should be at Priority 1 levels. Second, these priority levels reflect that USFWS is continuing to put off dealing with the critical issues of managing the impacts of visitor use and river use just as it did over twenty years ago by shelving the then critically needed River Management Plan.

Over the past two decades, it has been my observation on the ground that the Arctic Refuge has seen an erosion of wilderness character from the failure of USFWS to prioritize and address these management issues in a timely manner. Through this inattention, these issues are continuing to significantly affect wilderness character on the Refuge and will increasingly affect wilderness character if not addressed with more immediacy (Chapter 6 at Table 6-1 Timelines for Step-Down Plans, Page 6-6). Because it would set the standards for protective management of wilderness character, the Wilderness Stewardship Plan should lead the way for Visitor Use and River Management Plans and all should be started right away.

Comment 136816.006
John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled “Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>

-----Comment-----

Page 6 of Summary of Draft CCP lists various management issues and identifies the mechanism(s) for addressing each one. Many of these issues are recommended to be deferred to step-down plans. My concern is that step-down plans, for whatever reason but most likely due to lack of funding, may never happen. The CCP at page 6-6 contemplates several step-down plans. The Wilderness Stewardship Plan (and its Visitor Use Management component... see first bullet under Kongakut Visitor Use comment above) isn’t scheduled for completion 2019 – 1021). So, in the best of circumstances, it would take nearly a decade before a completed plan can be implemented. That’s too long, and the further out it is, the more uncertainty there is as to whether it will be completed.

The development of step-down plans is very important and should, relative to the other facets of the broad scope of FWS’s management of the Refuge, be a high priority. Within the step-down plan category, as shown in Table 6.1, I generally agree with the assigned priorities, except that a Wilderness Stewardship Plan and its Visitor Use Management component should be the number one priority, and it should be started before 2014. The I&M and Research Plans should be priority number 2.

Comment 032626.051
Greg Warren

It is unclear why implementation plans would take a decade or more to complete. There is no obvious reason why a Visitor Use Management Plan couldn’t be completed in a three-year period being initiated in 2012. What would be interim direction during this wait period? Will there be a moratorium on allowing an increase in visitor use while the plan is being prepared? If not, the CCP needs to describe why it would be OK to allow impacts to continue or increase during the planning horizon of the step-down plans.

Comment 032626.042
Greg Warren

-----Preamble/Intro-----

V1, 5-3, 5.1.3 Impact Topics:

-----Comment-----

step-down Population Management Plans need to be developed over the next few years that are specific to key species and discrete areas, possibly developing direction for each of the exclusive guide areas (701 FW 1, General). Also see comments on Future Step-Down Plans (V1, 6-3, 6.3) that follow.

3.44.3 Inventory & Monitoring Plan

Comment 136796.009
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

We urge the Service to be as detailed as possible in developing and carrying out studies investigating the effects of climate change, and strongly encourage conducting formal vulnerability assessments on key Refuge species and communities, or incorporating those conducted by others. This information will be critical in crafting effective I&M and Research Plans, and should feed into the Refuge's Ecological Review. Based on the findings of Defenders' report "No Refuge from Warming," we offer several suggestions for research in the Refuge:

- Investigate the population dynamics of the muskox lung nematode and its impacts on muskox growth, reproduction, and survival.
- Study the potential for red fox range expansion on the North Slope: model and observe changes in vegetation structure, track red fox locations and behavior, and ascertain competitive interactions with arctic foxes.
- Study vegetation community change on the tundra, including dynamics of small wetland areas, and determine the impacts on small mammal populations (particularly voles and lemmings) and population cycling.
- Continue to study the impacts of climate change on polar bears.
- Study winter conditions and their impact on caribou and muskox foraging success.

Comment 032628.035
Fran Mauer, Alaska Chapter
Wilderness Watch

Effects of Hunting on Population Structure and Genetics

The Draft CCP acknowledges that the public expressed concern that trophy hunting for species such as Dall's sheep (which targets old age, mature rams) in the Refuge could have negative effects on populations and genetics with long term negative consequences. This issue was assigned to the category: eliminated from detailed study and it was suggested that it may be considered in the Inventory and Monitoring Plan (step down). There are recently published scientific results about the effects of human harvest on a variety of species (Dairmont et al 2009). The Draft CCP goal #1 encourages the perpetuation of ecological processes and Management Guideline 2.4.12 requires

management that enables natural behavior, interactions, and cycles. The Service's Biological Integrity, Diversity, and Environmental Health Policy (Service Manual 601 FW 3 mandates the maintenance of the variety of life and its processes on Refuge lands. Furthermore, a primary Refuge purpose is to conserve wildlife in their natural diversity. We recommend that the Final Plan specify that this topic will be addressed in the proposed Inventory and Monitoring/Research plans, and results will be used to guide future management.

Comment 137006.001
Steve Zack, Arctic Landscape Coordinator
Wildlife Conservation Society

As noted by the Arctic Refuge CCP draft summary, "climate change is expected to continue to affect Refuge resources and the associated human environment for the foreseeable future." Since there are few current actions the USFWS believes they can do to manage climate change in the Refuge (see pg. 7 in Arctic Refuge CCP draft summary), limiting development in the Arctic Coastal Plain through a Wilderness designation (Alternative C) would preserve any potential Refugia for wildlife within its boundaries. Such designation could also help mitigate for climate change in number of ways (see Dudley et al.2010, Natural Solutions), such as providing access to natural resources and habitat for wildlife populations shifting ranges to higher latitudes, like the Coastal Plain. WCS recommends that this premise is clearly articulated in a climate change adaptation plan as part of the Inventory and Monitoring (I & M) planning effort.

Comment 137006.002
Steve Zack, Arctic Landscape Coordinator
Wildlife Conservation Society

WCS is encouraged to see the CCP/EIS will place some emphasis on addressing climate change influence on the wildlife and landscape of the Refuge through scientific research / monitoring and traditional knowledge (Goal 6) and that this information will feed into some type of climate change adaptation strategy (Goal 6 – objective 6.2, 6.3). However, it is unclear what the details and timeline of such a strategy are and how or if they will be articulated in any way. WCS recommends that the climate change effort and strategy for the Refuge be fully articulated in a "Climate change Adaptation Plan". Initially, more emphasis should be placed on developing such a plan as opposed to the "long-term research and monitoring." The plan should be created in order to guide new directions in applied research for the next 5-15 years.

Comment 137006.003
Steve Zack, Arctic Landscape Coordinator
Wildlife Conservation Society

Although the USFWS management guideline on climate change is to follow "a process of non-intervention" – likely because current management options are limited – WCS would stress that in the future, intervention of some type may be needed in order to help protect species imperiled by a changing climate. This should be noted in the forthcoming I & M plan. We understand that the I & M plan will be developed over the course of 3-7 years in a step-down process. As a science-based NGO involved in Arctic Alaskan wildlife research and conservation since the early moves to establish the refuge, WCS could play an important role in helping to guide the development of this plan. WCS requests consideration to be an active participant in the development and review of the plan.

Comment 032626.050
Greg Warren

V1, 6-3, 6.3 Future Step-Down Plans: This section does not contain direction to develop Population Management Plans for Dall's sheep, moose, grizzly bear, caribou, black bear, and wolf (701 FW 1, General). Direction to develop such plans needs to be added to this section of the final CCP. I believe that these plans should be a priority 1 and integrated with the Ecological Inventory and Monitoring Plan. The 701 FW 1 Policy does not provide specific guidance for developing Population Management Plans; however, there is ample guidance for using a Limits of Acceptable Change (LAC) type process for addressing the contrasting Federal (P.L. 96-487 and P.L. 88-577) and State (AS 16.05.255) mandates for managing fish and wildlife in the Refuge (Forest Service General Technical Report INT-GTR-371). LAC's primary usefulness is in situations like this where management goals are in conflict, where it is possible to compromise all goals somewhat, and where planners are willing to establish a hierarchy among goals. In addition, it would be necessary to write standards for the most important (constraining) goals—standards that are measurable, attainable, and useful for judging the acceptability of future conditions. Using Dall's sheep as an example, the goal would be to establish direction that would satisfy both the State's goal to, "manage for maximum sustainable harvest of Dall's sheep rams with full-curl or larger horns" and the Refuge's goals, especially 1, 2, 4, and 5. The LAC approach is better than the current situation of the relinquishment of the Service's ANILCA and Wilderness population management (protection) responsibilities to a State that has conflicting interests.

3.44.4 Visitor Use Management Plan

Comment 136980.001
Gail Mayo, President
Arctic Audubon

In the Issues section it appears that the most difficult issues to resolve and manage are to do with visitor impacts. Some of these issues are long standing yet they are deferred to step-down plans with no time line attached (at least in the summary). The CCP for ANWR needs to include assurances that these step-down plans will be prioritized to address the most pressing issues in a timely way. Congestion at jumping off points and problems with aircraft landing sites are unresolved issues of long standing and certainly need attention now. The popularity of visiting the Refuge is not likely to diminish in the next 15 years.

Comment 136971.002
Carol Kasza, Owners
Arctic Treks

-----Preamble/Intro-----

While we know the following concerns aren't being addressed in the CCP, we do want to mention them now for consideration in the next steps.

-----Comment-----

While we strongly urge that SUP holders be actively engaged in creating the VUM step-down plan, we do want to offer our perspective that a strictly "voluntary" plan to limit or redistribute use (as described in Alternative D) is not realistic—and that it will take some kind of "official" action to make that happen. We would like to be included in figuring out the best plan for limiting or redistributing use, but then FWS would have to be willing to be the "implementer" of that plan. Also, the use that is addressed would have to include hunting activities as well, particularly in August,

where there are increasing numbers of hunters doing float trips, as well as the hunting basecamps at put-in and take-out points.

Comment 136796.013

**Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife**

Defenders supports the development of a Wilderness Stewardship Plan (WSP) and Visitor Use Management Plan (VUMP) for the Arctic Refuge, as prescribed in Objective 2.3 and Objective 5.3, respectively.[47] As stated in our scoping comments, we encourage the Service to carefully consider current and future use of the Refuge and outline appropriate user restrictions, including group size limits and daily visitor limits, when necessary to protect wildlife resources, habitat, and visitor experience. The Service should also identify and consider the species that are particularly sensitive to recreational disturbance, activities most disturbing to wildlife, seasonal disturbance most likely to negatively impact wildlife, and areas of the Refuge most important for sensitive species. The Service should consider seasonal closures or restrictions for areas where sensitive species are found and during vulnerable periods such as breeding and parturition. Because the Draft CCP defers many of the details regarding access and visitor use to step-down plans, the Service should seek broad public input on the WSP and VUMP before finalizing them.

Comment 136801.003

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

We appreciate the inclusion of Kongakut River Visitor Management in the CCP.

-----Comment-----

Over the past decades, visitor use has degraded wilderness qualities here and at several areas of the Refuge. Since this is an issue which has been raised for decades, “step down” plans were called for by the 1988 plan, and concern about conditions continues, it is important for this plan to firmly commit to the Visitor Use and Wilderness Stewardship Plans which are comprehensive throughout the Refuge (not just the Kongakut), and that the CCP provide a timeline for the plan which is far sooner than the 8-10 years it is projected to take place.

Comment 136801.004

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

-----Preamble/Intro-----

We appreciate the inclusion of Kongakut River Visitor Management in the CCP.

-----Comment-----

How will this plan interface with local communities and people who interface with many visitors due to their gateway locations for trips into the Refuge as well as incorporating their concerns about changes to the land and animals?

Comment 136927.001
Lynda Ehrich

As you are aware, during the scoping process the public identified many actions that are needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge's 1988 CCP also committed the agency to address visitor use issues in future plans, but none were ever begun. Significant visitor use impacts that should be addressed now in this plan include:

Restoring wilderness character: Since 1980, when Wilderness was designated in the Refuge, public use has grown and concentrated along certain river corridors resulting in degraded wilderness conditions. The plan must include measures that restore the wilderness character to that which existed at the time of designation.

Comment 136793.003
Tim Hogan

As one who has visited the Arctic Refuge as an independent traveler with a single partner, I strongly support the maintenance of policy that does not dilute such an opportunity. Practices of minimal infrastructure, no trails, and restraint in naming natural features should be continued. Where necessary, group size should be regulated, over-flights for sight-seeing should be prohibited, developed landing sites should be limited, and commercial guiding should not be privileged over private visitors. Visitor management should be practiced in a way that minimizes commercial development and that requires a high level of self-sufficiency on the part of visitors; development should only take place where visitor use needs to be mitigated to protect ecological integrity.

Comment 136996.001
Don Ross

The public use portion of the previous CCP was never implemented. The current plan would delay that even further.

The current plan does not address a rationale for further delay. There appears to be none. The current plan should implement portions of the previous public use plan that was never implemented.

Comment 032624.001
John Trent

I encourage you to operationally define what "wilderness" means to both various refuge visitors and residents and then develop administrative structure to maintain those values. Recreational studies that define recreational carrying capacity could be helpful in this regard.

3.44.5 Wilderness Stewardship Plan

Comment 032627.021
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

An appropriate wilderness stewardship plan which comprehensively and specifically addresses visitor use issues throughout the Refuge must have top priority. It should be prepared and implemented with adequate monitoring of its effectiveness, as soon as possible.

Comment 032627.022

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

We are concerned about the Service's commitment to addressing wilderness stewardship issues appropriately and in a timely manner. The priority and schedule provided on pages 6-3 to 6-6 indicates that the wilderness stewardship and visitor use management plans are assigned to second priority status, and would not be completed until 8 or 10 years from now. Given the long standing problems and degradation of wilderness character associated with neglect and unregulated public use in the Refuge during the past 30 years, and the fact that impairment continues to increase, it is irresponsible to delay addressing these issues for nearly another decade. These plans must be set as priority 1 and the schedule for completion needs to be compressed to no more than 2 years in the Final Plan. The Service has not fulfilled the legal requirement to preserve wilderness character in designated Wilderness (Section 4(b) of the Wilderness Act). It must not delay for another decade its responsibility to do so.

Comment 032627.031

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Page 5-64 (Kongakut River): Text in this section claims that if a Refuge wide step down plan is implemented that it might have the effect of reducing attention to Kongakut specific issues. This can be prevented if the Service properly addresses its responsibility to preserve wilderness character. Section 4(b) of the Wilderness Act requires such preservation throughout the wilderness area, no exception is made for areas attracting more visitors. (See our comments above which call for both a comprehensive and specific Wilderness Stewardship Plan).

Comment 032627.017

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

-----Preamble/Intro-----

Goal 5 – We support this goal overall and have suggestions regarding the proposed priority and schedule for wilderness stewardship and visitor use plans. We fully support the goal to provide a place for wildlife-dependent and wilderness-associated recreational activities that emphasize adventure, independence, self-reliance, exploration, and solitude while protecting the biological and physical environments. This is in keeping with the type of “recreation” that Refuge founders had in mind when they worked for establishment of the original Arctic National Wildlife Range. It is one of the characteristics for which the Arctic Refuge is renowned and is very important to nearly all visitors who come to the Refuge.

-----Comment-----

We concur with most underlying objectives for this goal, however have significant concerns about the priority and schedule that is proposed (Pages 6-3 to 6-6) for wilderness stewardship and visitor use plans. Please see our comments under Wilderness Stewardship. This important goal for the Arctic Refuge will not be achieved if Objective 5.3 Visitor Use Management Plan is not given the highest priority, and accomplished in a shortened timeframe.

Comment 032628.014

**Fran Mauer, Alaska Chapter
Wilderness Watch**

For nearly thirty years it has been widely known that unregulated visitor use has resulted in degraded wilderness qualities in several areas of the Refuge. Concern over such conditions has been expressed by Refuge staff, in public comments, letters of complaint, news articles and in our discussions with Refuge staff over many years. The problem was recognized in the 1988 CCP which committed to address the issue in subsequent “step down” plans, however, no such plans were ever completed. Instead there has been only a few relatively minor administrative measures taken by the Service, primarily for the Kongakut River area.

This issue was once again brought forward by the public during scoping for the current CCP revision process. While many problem issues are recognized in the Draft CCP (D.5 Visitor Use Issues), nearly all are relegated to “considered but eliminated from detailed study.” We are very concerned because the draft CCP primarily addresses only the Kongakut River in the Alternatives and does so with relatively minor measures which do not adequately address the issue. The Final CCP must include the strongest possible commitment that the Service will act to restore wilderness character throughout the Refuge (not just the Kongakut River) to at least the level and quality that existed when Congress designated Wilderness in 1980, and that it will act to prevent degradation in the future. An appropriate wilderness stewardship plan which comprehensively and specifically addresses visitor use issues throughout the Refuge must have top priority. It should be prepared and implemented with adequate monitoring of its effectiveness, as soon as possible.

We are concerned, however, about the Service’s commitment to addressing these issues appropriately, and in a timely manner. The priority and schedule provided on pages 6-3 to 6-6, indicates that wilderness stewardship and visitor use management plans are assigned to second priority status, and would not be completed until 8 or 10 years from now. It is simply unacceptable that America’s premier wilderness has lacked a basic management plan for three decades. Given the long standing problems and degradation of wilderness character associated with neglect and unregulated public use in the Refuge during the past 30 years, and the fact that impairment continues to increase, it is irresponsible to delay addressing these issues for nearly another decade. These plans must be set as priority 1 and the schedule for completion needs to be compressed to no more than 2 years in the Final Plan. The Service has not fulfilled the legal requirement to preserve wilderness character in designated Wilderness (Section 4(b) of the Wilderness Act). It must not delay for another decade its responsibility to do so.

**Comment 032628.022
Fran Mauer, Alaska Chapter
Wilderness Watch**

Page 5-64 (Kongakut River) Text in this section claims that if a Refuge wide step down plan is implemented that it might have the effect of reducing attention to Kongakut specific issues. This can be prevented if the Service properly addresses its responsibility to preserve wilderness character. Section 4(b) of the Wilderness Act requires such preservation throughout the wilderness area, no exception is made for areas attracting more visitors. (See our comments above which call for both a comprehensive and specific Wilderness Stewardship Plan).

**Comment 136816.001
John Strassenburgh**

A Wilderness Stewardship Plan should be developed and used not only on the Kongakut, but as a

template for the management of other rivers and areas of the Refuge. And because the number one management priority should be protection of the wilderness, all other management should be subordinate to this overriding priority. Management of visitor use is a major part of wilderness stewardship, and I think that there should be one step-down plan entitled Wilderness Stewardship Plan, with a major (but not only) component of that plan being management of visitor use. In my mind, protection trumps access, and if it is necessary to limit or restrict the number of visitors, the type of activities, or the mode of access in order to protect the wilderness, then such limitations or restrictions should be put into effect.

3.45 TOPIC: Studies/Research

Comment 136797.004

Andrew M. Keller

Scientific research is an essential part of the mission of the USFWS and should be carried out under the minimum impact guidelines in a wilderness area. This must be clearly stated in the plan.

Comment 136804.002

Matt Nolan

I think it is important to grant scientific study increased status and protection within these Wilderness areas and that Refuge staff should advocate that such protection be specifically written into legislation that Congress might pass. For example, it should be specifically allowed that some density of weather stations, stream gaging stations, snow courses, glacier mass balance sites, and other small scientific installations that contribute to our knowledge of ecosystem, landscape, and climate change in these regions be permitted to exist in these new designated Wilderness regions as part of the legislation, as well as efficient access to them, so that a coherent plan can be designed and managed from the outset. These could be thought of as 'scientific inholdings', with a selection and conveyance process similar to native inholdings.

Comment 118023.001

Roderick Barclay

also know about and have seen State financed preliminary survey crews flying out to collect data for nearly 400 miles of new heavy duty access roads in other wild country both north and south of the Brooks Range. The proposed northern route to Umiak and beyond is for Oil and Gas and the southern route through Bettles accesses copper and other minerals to the west of the Gates of the Arctic N.P. One must look at the big picture. If all of these invasive actions take place the arctic will be impacted by mankind more than at any time. There will be no way to turn back the clock. Let us not spoil one of the last remaining wild places on Earth.

3.46 TOPIC: Subsistence

3.46.1 Access

Comment 136792.004

Cliff Eames, Board Member
Alaska Quiet Rights Coalition

-----Preamble/Intro-----

we were very disappointed to see that there is almost nothing in the draft Plan and EIS regarding the Natural Soundscape, natural quiet, and natural sounds. In this regard, the Fish and Wildlife Service seems to lag far behind its sister federal land managing agencies. Formal, written National Park Service policy requires that the agency address the Natural Soundscape in its plans and environmental analyses. Even the National Forest Service and the Bureau of Land Management, multiple use agencies with a far less protective mission than the FWS, have, in most recent cases that we're aware of, addressed natural quiet and natural sounds in their planning and environmental documents. We may not always agree with their decisions, but at least they generally acknowledge that the Natural Soundscape is a fundamental ecological resource. We are very surprised, and as we said, disappointed, to see that the Fish and Wildlife Service does not seem to be fulfilling its stewardship responsibilities by at least taking that important first step.

-----Comment-----

Subsistence. The promises made in ANILCA to subsistence users should be honored. This includes the use of motorized vehicles for subsistence when such use is not allowed for other purposes. But ANILCA clearly allows the subsistence use of motorized vehicles to be reasonably regulated, and whether there is a need for such regulation should be carefully, but fairly, evaluated during the life of the Plan.

Comment 000056.001

Jonathan John, First Chief
Arctic Village Council

24 And they say we want to designate it as
25 wilderness up there. I favor that, but I can't -- I
26 have a history in my area, in Arctic Village, that's
27 where we get our logs. We have summer trails that have
28 been used for thousand and thousand and thousand,
29 thousand, thousand, thousand years. They're there.
30 The trail is still there. That proves that we use all
31 the sheep, all the caribou, all the moose, all
32 wildlife. We use them in our area. The trails are
33 there. You cannot deny it. I need access to get logs.
34 You can't have no wilderness on those stuff. I have
35 evidenced and trail-marked I've been using 60's. They
36 used tractors, tractor trails. So we need to get
37 access to our logs in the refuge.
38
39 If I have to build a house or take a D-
40 9 to go down 30, 40 miles away and have a house log,
41 that's not economy. My economy is up there in the
42 refuge where I can get logs and wrap it down where it's
43 only going to cost a percentage of it. That's one of

44 the things I want to get at, is to have access on that
45 and for my protection.

Comment 032625.002
Nicole Whittington-Evans, Alaska Regional Director
The Wilderness Society

TWS attended the Kaktovik Arctic Refuge Draft Revised CCP DEIS hearing and learned about the possible permit fee associated with temporary use facilities related to subsistence hunters and users. Upon hearing the response to this proposal by local residents, we urge the USFWS to abandon any fees associated with obtaining a permit associated with subsistence use temporary structures, and feel that this issue could damage relations between the agency and local residents. We strongly recommend the USFWS drop the fee portion of this requirement and look to other ways to track temporary use facilities that may remain in place beyond one season.

Comment 136908.002
Jonathon John

For local access for subsistence, stated that local subsistence users should be allowed to use 4-wheelers for harvesting resources.

Comment 032657.001
Terry Reichardt

-----Preamble/Intro-----

I would like to see you make a couple of adjustments to the management option E.

-----Comment-----

1. Subsistence access should allow at least limited use of ATVs which is presently an important means of access for residents

3.46.2 Impact of other users

Comment 136726.001
Unnamed 64

Manipulation of wildlife in Arctic Refuge is already going on by biologists through their estimations of harvest levels. Manipulation competing and hurting local subsistence opportunities

3.46.3 Subsistence Economies

Comment 136815.003
Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments

The Council submits that the information presented in 4.4 Human Environment is incomplete and limited in scope. Within Section 4.4.3.7 Subsistence Harvest, Barter, and Trade Economies it is stated that “resources of caribou, moose, and salmon are bartered and exchanged between the

villages of Venetie, Fort Yukon, and Arctic Village.” The discussion continues to include a further explanation of this barter and trade. This is an incomplete, inadequate, and limited description of the barter and trade amongst Gwich’in and Koyukon people who rely upon the resources of the Refuge. Additional Refuge resources that are important traditional and customary resources of the Gwich’in and Koyukon people and included in barter and trade include, but should not be limited to: furs such as wolverine, lynx, marten, and beaver; berries such as blueberries and salmon berries; plants and herbs such as Labrador tea; whitefish such as grayling; waterfowl; and small game such as ground squirrel. Additionally the list of villages which participate in this barter and trade should include but not limited to: Chalkyitsik, Beaver, Circle, Birch Creek, Stevens Village, and Old Crow, Canada. The traditional and customary barter and trade of resources upon which Gwich’in and Koyukon people rely is far greater and more complex than the simplified statements within the Draft Revised CCP.

3.46.4 Subsistence Management

Comment 136734.001
Unnamed 71

Need a good network between agencies regarding subsistence activities.

Comment 221204.001
Daniel Lum

This CCP in any alternative should also prioritize the continuity of cultural practices of all the thousands of Inupiat residents to the North, and Gwich’in to the South. I am comfortable stating that many if not most of the older adults and Elders who may not understand English, or the finer complexities in the CCP, would want their subsistence lifestyles protected through as many avenues as possible. Protecting all the subsistence resources as well as continued subsistence access necessary for carrying on the traditional ways of our lives is very important to fulfilling the subsistence purpose of the refuge.

Comment 032662.004
David McCargo

One has to call into question some of the baseline definitions, at least those that are not anchored in statute, surrounding what constitutes existing traditional activities on the Refuge including hunting, trapping, and other activities associated with subsistence. The biggest Kahuna is subsistence-related use of motorized equipment. While ANILCA authorizes traditional uses, it does not authorize unlimited use. That would be absurd.

Furthermore and contrary to popular belief, Alaska including the Refuge is wildlife poor. Even pre-contact Native populations in the Arctic were unable to live off the land in big numbers. Alaska's rural population is growing beyond Third World rates. When coupled with technology most notably mechanized access, so-called substance users have long ago exceed the carrying capacity of surrounding areas.

Subsistence use in much of Alaska is a myth. Conservation system managers including the Service are too scared to acknowledge this the consequence of which is the myth keeps being perpetuated, including by environmentalists, and that the conservation units keep being degraded.

Comment 222173.001
Jack Reakoff

Under the summary of selected management provisions ...

Subsistence: All categories of Wilderness, Wild Rivers and Minimal Management are far too restrictive of subsistence harvest collection of house logs and fire wood. ANILCA is clear regarding the importance of subsistence uses wild renewable resources:

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 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;

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, (emphasis added)

Reduced and limited levels for Subsistence use of wood resource in the CCP, would have great adverse impact on users. The Plans use levels would severely impact the subsistence users engaged in a subsistence way of life and to continue to do so. Provisions for reasonable management of wood resources are required by Title VIII of ANILCA and need to be incorporated into this document, for subsistence uses. And at levels that would allow users to continue their subsistence way of life.

Suggested language for Wilderness, Wild Rivers, and Minimal Management should state: Allowed; and may require use permits for trees over 6 inches.

3.46.5 Village Harvests

Comment 136676.001
Unnamed 19

Whenever the Refuge is spoken of, Kaktovik is portrayed as a whaling community and Arctic Village is portrayed as a caribou community when caribou is very important to Kaktovik. Residents of Kaktovik also hunt Dall Sheep. Yet these other subsistence foods are never portrayed in Refuge slide shows or publications.

3.46.6 Village Use Areas

Comment 136815.005

**Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments**

the specific discussions and usage maps in Section 4.4.4.2 Contemporary Village Subsistence Use referencing Arctic Village, Chalkyitsik, Fort Yukon, and Venetie are incomplete, inadequate, and limited. Further consultation is necessary with the Yukon Flats Tribal Governments and the Council to ensure a more adequate representation of traditional and customary use of resources located within the Refuge is established here.

Comment 136815.004

**Carrie Stevens, Special Projects, Natural Resources Dept.
Council of Athabaskan Tribal Governments**

-----Preamble/Intro-----

Additionally the list of villages which participate in this barter and trade should include but not limited to: Chalkyitsik, Beaver, Circle, Birch Creek, Stevens Village, and Old Crow, Canada.

-----Comment-----

the Council submits that the statements in Section 4.4.4 Subsistence Uses is also incomplete, inadequate, and limited for the reasons as cited above. All villages as listed above should be referenced as relying on the Refuge to meet their subsistence needs.

Comment 136846.001

**Edward Alexander, Second Chief
Gwichyaa Zhee Gwich'in Tribal Government**

There's a map of usage for Fort Yukon residents and it's wrong. There's a map of usage for Arctic Village and for Venetie. Those are also wrong.

You know, they interviewed 26 people in Fort Yukon in 1980 and that's how they derived their map of usage and we don't just use the river corridors and the entire Arctic National Wildlife Refuge is within our territory and it needs to be recognized in this document somewhere that the -- all of that land is used and it's always been used by our people here. There is hints in the way that it's written that the Gwich'in people have only been here for 1,600 years or something like that when it talks about our history. Well, we've been here for a lot longer than that. If you take just the record that was found at Clowcut up near Old Crow as the singular point for our usage of this area, it's false and I think that what is said in here reflects how little is known at the Yukon

3.47 TOPIC: Transportation and Access

3.47.1 Baseline Conditions

Comment 136805.127
Sean Parnell, Governor
State of Alaska

Page 4-226, Dalton Highway Visitors and Resource Impacts. This section needs to reflect that access to the refuge via the Dalton Highway is already restricted because no motorized vehicles, including 4-wheelers, are allowed 5 miles either side of the Dalton Highway.

Comment 136872.001
Unnamed 22

We need to hire people from the village to man a post to observe during hunting season on Old John Lake

Comment 136897.001
Unnamed 6

Need people to go to Old John Lake to keep watch during hunting season (trespassing, other illegal activities)

Comment 136901.001
Mildred Allen

Stated that there is an increasingly significant problem with nonlocal people trespassing on Native Allotments and stealing and miss-using boats and motors at Old John Lake. Boats and motors have been damaged, and trash is being left behind. There needs to be a way to limit public access to this area to stop the trespass, miss-use of private property and leaving trash behind.

Comment 136908.003
Jonathon John

Local people need to watch the Old John Lake area to reduce the hunter and trespass on private Native Allotment problem. We need to work with the Refuge on this problem.

Comment 136804.009
Matt Nolan

Fixed-wing access points. I advocate for Refuge management to select several popular fixed-wing access points to be maintained throughout the Wilderness and non-Wilderness regions. Though I don't want to see road signs and interpretative displays, I do want to have access to the Refuge via air travel and it is simply impossible to prevent some decay of fixed-wing landing zones on vegetated surfaces and, at least on the North side, there are simply a limited number of suitable locations. Where gravel bars are available, yes clearly they should be used. But where they are not, then I think it is in everyone's best interest to harden or improve the locations that are going to be used

anyway, rather than allow them to be chewed up to the point where they are no longer safe or usable. At some locations, like mid-Jago and 5 mile on the Hulahula, the river is eating into the landing zone. I do not advocate for bulkworks or riprap here. But, clearing shrub growth, filling ruts with rocks, marking runways with natural objects, and similar low-tech activities should be allowed without fear of prosecution, similar to what was done at Grassers, such that there are at least a few useable strips on each major watershed. Regarding gravel bars, the issue, at least on the North side, is that most 'bars' are covered with cobbles until you get close to the coast, such that even these locations would require regular work to keep clear. An alternative of limiting fixed-wing access to float planes I believe would be misguided, as there is likely the same amount of environmental damage, it's just harder to see visually (hydrocarbons in the lakes, disturbance of subaqueous shore stability, etc).

Comment 136912.004
Edward Sam

In the Old John Lake area, he said that Native people need to be involved with the Native Allotment trespass issue. They need a cabin to be manned by local people to watch the area during the hunting season. Local people need to be involved in the protection of the area.

3.47.2 Effects of Alternatives

Comment 009515.001
John Coghill, Senator, District F
Alaska State Legislature

In my notes that I'll be writing to you, I appeal to Section 1313 which talks about the hunting and fishing and the trapping in ANILCA. And in Sections 1101 through 1108, there are transportation issues that I think -- that allow both Native and non-Native people to access and traverse the land for hunting, fishing, and trapping. So I'm concerned that that would become impacted. Probably the biggest thing, though, for America, for Alaska, for those who work here in Alaska is the wilderness designation of the 1002 area. I would urge that you go to Congress for that, and the wild and scenic rivers issue is also another one because that impacts the access for traditional activities. So those two issues. The wilderness designation should not be given for the 1002 area. I think we've done exploration well, and the wild and scenic rivers I think is our access issue.

3.47.3 Mode of Transportation

Comment 136811.003

Mark Richards, Co-Chair

Alaska Backcountry Hunters & Anglers

We did want to add additional thoughts, however, about an issue that greatly concerns us, and that is the possibility of significant motorized land access via snow machine through the western part of the Refuge should the state of Alaska ever allow such access through the Dalton Highway corridor.

Currently ATVs/ORVs are prohibited within the Refuge, and snow machines are allowed. We don't oppose the use of snow machines within the Refuge per se, but continued efforts to open the Dalton corridor to motorized access pose serious concerns about such access should it come in great numbers from the Dalton Hwy into the western portion of the Refuge.

We only ask that Refuge managers look at ways of mitigating or limiting widespread snow machine access into the western boundary ahead of such an occurrence, as part of continued step-down planning efforts and in accordance with "responsible regulations to protect the natural and other values of the Arctic Refuge" that are a part of 43 CFR 36.11.

Comment 136792.003

Cliff Eames, Board Member

Alaska Quiet Rights Coalition

-----Preamble/Intro-----

we were very disappointed to see that there is almost nothing in the draft Plan and EIS regarding the Natural Soundscape, natural quiet, and natural sounds. In this regard, the Fish and Wildlife Service seems to lag far behind its sister federal land managing agencies. Formal, written National Park Service policy requires that the agency address the Natural Soundscape in its plans and environmental analyses. Even the National Forest Service and the Bureau of Land Management, multiple use agencies with a far less protective mission than the FWS, have, in most recent cases that we're aware of, addressed natural quiet and natural sounds in their planning and environmental documents. We may not always agree with their decisions, but at least they generally acknowledge that the Natural Soundscape is a fundamental ecological resource. We are very surprised, and as we said, disappointed, to see that the Fish and Wildlife Service does not seem to be fulfilling its stewardship responsibilities by at least taking that important first step.

-----Comment-----

Balanced Land Management Statewide. Motorized recreational use should be prohibited throughout the Refuge, not just in designated Wilderness or lands managed as Wilderness. The Arctic Refuge should be a counterweight, an alternative, to the vast majority of state-owned lands and BLM lands, and to the many other areas on the federal lands, where such recreational use is allowed, and in all too many cases, is virtually unregulated. The gross imbalance referred to earlier can and should be at least partially righted by managing for non-motorized recreational use on the refuge.

Comment 136801.058

Pamela Miller, Arctic Program Director

Northern Alaska Environmental Center

The management guideline prohibiting helicopter landing for recreation is excellent, and not only correctly interprets the aircraft access provisions in ANILCA with respect to recreation but will help avoid future conflicts that could arise as cruise ships and other vessels ply the Beaufort Sea more

frequently due to sea ice loss from climate change. However, specific criteria regarding agency use of helicopters, including limits, should be specified.

Comment 032627.034

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

Pages 2-59 and 2-60 (Helicopters): We support the prohibition of helicopter landings for recreational purposes in the Refuge and urge that it be retained in the Final CCP. More restrictions need to be specified in the Final CCP (Management Guidelines) for the use of helicopters by agencies and cooperators.

Comment 032627.043

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

-----Preamble/Intro-----

Overall we commend the USFWS for producing the most effective and consistent version of the USFWS Alaska Template of any revised refuge thus far. For the most part activities are managed consistently in both the Wilderness and Minimal Management categories, which is encouraging. Regarding access concerns, we strongly support that recreational Off-Road-Vehicles (ORV's) and commercial helicopter air-taxi's are not allowed in Wilderness, Wild River or Minimal management categories.

-----Comment-----

We do have concerns, however, regarding the relaxation of restrictions for some activities, such as motorized access, as in the case with snowmobiles, from the original CCP to the current draft (see Table 3-2, pgs. 3-48 and 3-49). We do not support the USFWS relaxing restrictions of this sort from the 1988 plan in the revised CCP.

Comment 032628.025

**Fran Mauer, Alaska Chapter
Wilderness Watch**

Pages 2-59 and 2-60 (Helicopters): We support the prohibition of helicopter landings for recreational purposes in the Refuge and urge that it be retained in the Final CCP. More restrictions need to be specified in the Final CCP (Management Guidelines) for the use of helicopters by agencies and cooperators.

Comment 136667.001

Unnamed 10

Mattracks – are they allowed under Wilderness conditions

Comment 136684.001

Unnamed 26

Why are planes able to land anywhere and yet a permit is needed for using an ATV to hunt

Comment 136686.001
Unnamed 28

Could pickups and SUVs outfitted with Mattracks be considered an ATV and brought into wilderness

Comment 136953.001
George Alderson

Subsistence use of ORVs: We recognize that subsistence use of ORVs is allowed under terms of ANILCA. The CCP should provide for monitoring the impacts of such use and if ORVs are creating unreasonable impacts against fish and wildlife habitat, limits should be adopted on numbers of trips or seasons of use. The National Park Service had a problem in the Nabesna District of Wrangell-St. Elias National Park and Preserve, where ORVs created terrible impacts on the lands and waters. The NPS recently adopted a new plan for that area barring recreational ORVs from the national park and providing for monitoring of subsistence ORV use and imposing future limitations on that use if the impacts become too great. The CCP should authorize such limitations if they prove necessary in the future.

Comment 136786.002
Patti Barber

Where in this plan is there a provision for the returning military or elderly that aren't ambulatory and require a motorized wheelchair or ATV to access the wilderness? Public land whether it is designated wilderness or open for general use should be fair for all not just the healthy walkers. In 19 MILLION acres there is currently 8 million acres designated wilderness. There is not enough people that visit ANWR annually that would require the additional acres you are proposing locking up to wilderness which would hinder my recreational experience. This plan only caters to the elite crowd that is able to walk and climb and desire to stop the general population from accessing public lands.

Comment 136964.002
Cliff Eames

its apparent belief that the term "traditional activities" (Sec. 1110(a) of ANILCA) includes recreational activities like recreational snowmachining. Why, if I want to enjoy wildness free of the significant conflicts created by recreational motorized vehicles, do I have to leave the designated Wilderness of "wild" Alaska and recreate in Wilderness in the lower 48? I feel confident that this was not what the Congress intended. Legitimate subsistence use of motorized vehicles permitted by ANILCA should continue, subject to monitoring and the Act's provisions for regulation where necessary--but non-essential (by definition) recreational motorized vehicle use should not be allowed anywhere in the Refuge.

Comment 136807.008

Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

19 Airplane and helicopter landing sites should be located early in order to prevent them from being moved more closely later in the process and reducing the wilderness character of the refuge. Landing sites should not be allowed inside the refuge. Where such sites were grandfathered in wilderness in other areas the only users to benefit from their use were those flying the airplanes.

Comment 136804.005

Matt Nolan

I would also ask that helicopters be considered as legalized alternatives to fixed wing aircraft (that is, not replacing fixed-wing, just granting similar access) in these new wilderness areas. I'm no huge fan of helicopters, and I currently work hard to meet the current Refuge philosophy on their use, but practically speaking they have a lower environmental impact and it would greatly reduce wear and tear on the limited number of fixed-wing strips (extending their life) if commercial helicopter use were permitted. So it's not so much that I want to use them, I mainly want to ensure continued fixed-wing access by minimizing pressure on existing strips and associated camping areas. At the moment, there is no protection against helicopter flightseeing, so this is moot as it would remain the same. It would be fine with me to limit passenger offloading to some specific sites (like coordinates with a radius) or to, for example, some unvegetated valley bottoms etc. and prohibit from some others. Other than the specific legal prohibitions or sanctions (eg. ANILCA, the Wilderness Act), the philosophical debate about whether helicopters are more 'wildernessy' than fixed wings is subjective in my opinion, and I think once most people realize that helicopter access is the same price as fixed wing (consider that a new R-44 is cheaper than a used Beaver, and R-44 rates are lower or on par with fixed wing rates going into the Refuge) I think public opinion would shift on this. I certainly don't want to see Princess Tours arrange dozens of landings per day, and I think this could easily be avoided by the commercial group size limitation or, for example, authorizing that helicopter landings are only allowed for passengers intending overnight stays, etc. In any case, should nearly the entire Refuge become Wilderness, I think there would be ways to manage helicopter access to an acceptable level without eliminating it completely, to keep it on par with current fixed-wing traffic but with much less environmental damage, but most importantly that these issues (and similar ones) should be addressed and written into the legislation to address and protect the unique and special needs of arctic Alaska and Alaskans.

Comment 136942.004

Mike Speaks

NO HELICOPTERS FOR RECREATION should ever be allowed, and flightseeing in general should go somewhere else.

Comment 136816.019

John Strassenburgh

-----Preamble/Intro-----

Please note that unless otherwise indicated, page number references in my comments below refer to the 20 page Summary of Draft CCP from the CD sent to me by FWS (file entitled

“Arctic_DraftCCP_SummryRpt_052511.pdf”), also available at <http://arctic.fws.gov/pdf/ccp3b.pdf>
-----Comment-----

All-terrain and off road vehicles do tremendous damage to the land, wetlands, and, to water (e.g., through erosion). I am glad to see the ban includes air boats and air cushion vehicles. Not only should this ban continue, but provision should be made for monitoring such use and enforcing the ban. What good is a ban if there is no mechanism in place to ensure compliance? I also think that the language should be broad (to include new future off-road travel machines that cannot be envisioned today), such as “use of any land or water vehicle or conveyance, including but not limited to ATVs, ORVs, air boats, and air cushion vehicles, that adversely impacts the natural resources of the Refuge is prohibited.”

3.48 TOPIC: Visual Resources

3.48.1 General

Comment 136801.073

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

Sec. 2.4.10.4. Visual Resource Management.

p. 2-49. This section should be re-worded as the term “minimize the visual impacts of Refuge development ” is overbroad and implies inappropriate commercial activities may take place and which that are incompatible with Refuge purposes. We have recommended elsewhere in these comments that there should be no new construction for Administration sites and visitor facilities. What other sites are to be addressed here? The refuge should also seek to avoid, as well as minimize, deterioration of visual resources from activities occurring off Refuge lands and also for lands within Refuge boundaries subject to ANCSA 22(g).

Comment 032626.019

Greg Warren

V1, 2-49, 2.4.10.4 Visual Resource Management: I recommend that the Refuge use either the BLM or Forest Service visual resource management approach to provide scenery management direction and disclose effects. Otherwise, scenery assessments and direction could be seen as subjective and the methodology may not be repeatable.

3.49 TOPIC: Water Resources

3.49.1 Water Quality and Quantity

Comment 137004.001

David Wiswar

I feel a greater understanding on the dynamics of the physical environment of the Beaufort Sea nearshore coastal areas within the boundaries and adjacent to the Refuge needs to be included in future studies. Studies should include the contribution of the freshwater rivers and streams to the establishing and maintaining the brackish waters in the nearshore lagoons and coastal areas.

3.49.2 Water Resources and Use

Comment 000234.002

Dan Shorb

Also, this area should be utilized by protecting its massive fresh water supply. We can apply the philosophy of the EPA's Community-Based program to this one for a national scale. (see here: http://water.epa.gov/type/oceb/nep/commbased_app.cfm)

3.50 TOPIC: Wild and Scenic Rivers

3.50.1 Atigun River

Comment 000073.001

**Beth Peluso, Communications Manager
Audubon Alaska and National Audubon Society**

25 The plan should additionally recommend
26 the Atigun River for inclusion in the National Wild and
27 Scenic River system in order to maintain it's free-
28 flowing character and outstanding values. Due to its
29 size, remote location, wilderness character and
30 diversity of ecologically significant landscapes and
31 wildlife, the Arctic Refuge is an irreplaceable
32 national treasure that serves as a globally significant
33 benchmark, ecological integrity in the arctic.

3.50.2 Eligibility (includes Appendix I)

Comment 136820.001

**Cindy Shogan, Executive Director
Alaska Wilderness League**

all of the rivers in the Arctic National Wildlife Refuge are emblematic of our nation's most intact and wildest rivers and the epitome of the standard for protection as Wild Rivers in the National Wild and Scenic River System. All of them are free-flowing, have pure, high quality water, and contain one or more Outstanding Remarkable Values (ORVs) for their scenic, recreational, geologic, historic, cultural, fish, wildlife, wilderness and intact ecological systems at the landscape scale. Ecosystem protection and the wholeness of our nation's wildest refuge would be enhanced by such designations, and they would also be strong complements to the ultimate Wilderness of the Arctic Refuge. Therefore, all of the Refuge's rivers should be included in the inventory and maintained so that they retain their ORVs.

At the same time, by excluding rivers that clearly meet the standards, the eligibility list is too limited. The fault originates with the methodology the USFWS used to determine the eligibility of the rivers in the plan, as that methodology does not meet the basic requirements of the Wild and Scenic Rivers Act. The question is whether a river is free-flowing and whether or not it possesses an outstandingly remarkable value of regional or national significance. Instead of assessing the rivers independently of one another as required by the Act , the rivers assessed in the draft Plan were measured against one another, thus resulting in fewer eligible rivers than actually exist. Consequently the FWS's method only selects those rivers that contain the highest percentage of Outstanding Remarkable Values (ORVs), preventing many otherwise qualified rivers from becoming eligible. If a proper assessment was conducted additional rivers would have been found eligible, such as the Kataktruck and Turner Rivers. The final Plan should include a revised methodology that meets the Act and includes the necessary interim protections afforded rivers found eligible.

Comment 136785.001
Daid Moryc, Senior Director, River Protection Program
American Rivers

Among the proposed alternatives, American Rivers supports proposed Alternative E; recommending the Atigun, Hulahula, Kongakut and Marsh Fork Canning Rivers into the NWSRS, as well as recommending the Brooks Range, Porcupine Plateau and Coastal Plain Wilderness Study Areas into the National Wilderness Preservation System. While this alternative is the most protective among the proposed alternatives we have serious concerns about the underlying methodology used to assess rivers for eligibility in the Plan which may violate the Act.

According to the Plan the eligibility analysis was completed using the following methodology:

1. The team identified a comprehensive list of all named Refugee rivers and river segments from the U.S. Geological Survey (USGS) Geographic Names Information System and the National Hydrography Dataset (USGS 2010). A total of 160 named rivers and creeks were identified, all of which are free-flowing. With 160 named rivers and creeks identified on the Refuge, and a general lack of information about most of these named waterways, the team decided to focus on a subset of these rivers at this time... Therefore visitor use is the greatest management concern. For these reasons, the team decided to focus on named waters with visitor use and reliable flow. Therefore 20 waters were identified as having river-related visitor use and were evaluated for eligibility.

2. The purpose of the eligibility evaluation is to compare and contrast each river to other waters in the region of comparison (ROC) for each ORV... A system was developed to rank the analytical results river-by-river for each ORV. 2

After the initial inventory, 20 “waters with visitor use and reliable flow,³” were studied for eligibility. We are concerned that this methodology FWS used to determine the eligibility of the 20 rivers does not meet the basic requirements of the Act for eligibility mainly whether the river is free-flowing and whether or not it possesses an outstandingly remarkable value of regional or national significance.

The plain language of the Act states:

“A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values... Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion into the national wild and scenic river system⁴,”

Instead of assessing the rivers independently of one another as required, the rivers assessed in the Plan were measured against one another. The Outstandingly Remarkable Values of the rivers considered were scored against each other, resulting in far fewer eligible rivers. As stated in the plan each river was “reviewed by a percent-of-total-score for each ORV. A river which received a score of at least 70 percent of the total possible points was assigned that ORV.⁵” While this methodology may succeed in selecting some of the most eligible rivers among the list of rivers in the Plan, the Act maintains that all rivers in the specified areas with at least one ORV be considered eligible. Consequently the FWS’s method only selects those rivers that contain the highest percentage of ORVs, preventing many otherwise qualified rivers from becoming eligible. If a proper assessment was conducted we believe additional rivers would have been found eligible including the scenic Kataktruck and Turner Rivers. The final Plan should include a revised methodology that meets the Act and includes the necessary interim protections afforded rivers found eligible.

Comment 032629.001

**David Moryc, Senior Director, River Protection Program
American Rivers**

Among the proposed alternatives, American Rivers support proposed Alternative E; recommending the Atigun, Hulahula, Kongakut and Marsh Fork Canning Rivers into the NWSRS, as well as recommending the Brooks Range, Porcupine Plateau and Coastal Plain Wilderness Study Areas into the National wilderness Preservation System. While this alternative is the most protective among the proposed alternatives we have serious concerns about the underlying methodology used to assess rivers for eligibility in the Plan which may violate the Act.

According to the Plan the eligibility analysis was completed using the following methodology:

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2. The purpose of the eligibility evaluation is to compare and contrast each river to other waters in the region of comparison (ROC) for each ORV...A system was developed to rank the analytical results river-by-river for each ORV.[2]

After the initial inventory, 20 “waters with visitor use and reliable flow,[3]” were studied for eligibility. We are concerned that this methodology FWS used to determine the eligibility of the 20 rivers does not meet the basic requirements of the Act for eligibility mainly whether the river is free-flowing and whether or not it possesses an outstandingly remarkable value of regional or national significance.

The Plain language of the Act states:

“A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and regulated adjacent land area that possesses one or more of the values...Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion into the national wild and scenic river system[4],”

Instead of assessing the rivers independently of one another as required, the rivers assessed in the Plan were measured against one another. The Outstandingly Remarkable Values of the rivers considered were scored against each other, resulting in far fewer eligible rivers. As stated in the plan each river was “reviewed by a percent-of-total score for each ORV. A river which received a score of at least 70 percent of the total possible points was assigned that ORV.[5]” While this methodology may succeed in selecting some of the most eligible rivers among the list of rivers in the Plan, the Act maintains that all rivers in the specified areas with at least one ORV be considered eligible.

Consequently the FWS’s method only selects those rivers that contain the highest percentage of ORVs, preventing many otherwise qualified rivers from becoming eligible. If a proper assessment was conducted we believe additional rivers would have been found eligible including the scenic

Kataktruck and Turner Rivers. The final Plan should include a revised methodology that meets the Act and includes the necessary interim protections afforded rivers found eligible.

Comment 032629.003

**David Moryc, Senior Director, River Protection Program
American Rivers**

American Rivers also support wilderness protection for the Coastal Plain, Brooks Range and Porcupine Plateau in order to protect these lands as an intact ecosystem. In addition to the wilderness designation recommendations, further recommendations for inclusion of the Atigun, Hulahula, Kongakut and Marsh Fork Canning Rivers into the NWSRS would benefit the protection of these rivers, their watersheds and the integrity of their basins including the adjacent coastal ecosystems.

Comment 136817.013

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

ASRC and NSB also wish to express their concern with the USFWS's eligibility evaluation process. In order to determine eligibility, the USFWS identified the relevant ORVs and developed a set of criteria to measure the extent, if any, to which each ORV is present on each particular river or river segment. However, rather than relying upon the data collected through its evaluation process, when the data did not conform to the team's view, USFWS simply disregarded the data and instead adopted the team's view.

For example, the data gathered for the Atigun River, the Hulahula River, and the Marsh Fork Canning River relating to recreation, based upon the established criteria, did not support an eligibility finding for those rivers based on the recreational ORV. Nonetheless, the USFWS determined those rivers to have the Recreational ORV in any event, based on the team's "best professional judgment." Draft Plan, App. I at ELIG-B7-B8. Similarly, based on the defined criteria, the Hulahula River was not identified as having a cultural ORV. Nonetheless, the USFWS determined that "In the regional archaeologist's professional judgment, the Hulahula has cultural importance in our regions of comparison, and it does have the Cultural ORV (D. Corbett, Regional Archaeologist, pers. comm., Jan. 11, 2011)." Draft Plan, App. I at ELIG-B21.

The agency's disregard of the defined criteria results in identifying these rivers as having ORVs that they would not otherwise have. This impacts the USFWS's eligibility and suitability decisions, as well as the management of these rivers in the event they are recommended and/or designated for inclusion in the NWSRS. In the case of the Hulahula River, in particular, the result is especially significant. Based on the defined criteria alone, the Hulahula River was not identified as having any ORV. Accordingly, if USFWS had adhered to the defined criteria, the River would not have been determined eligible for addition to the NWSRS.

Comment 032621.001

**Karen Jettmar, Wilderness Guide/Director
Equinox Wilderness Expeditions**

In earlier comments to USFWS regarding rivers, I recommended consideration of all 160 Arctic Refuge rivers. I have personally found the 160 rivers to be free-flowing, have pure, high quality water, and contain one or more Outstanding Remarkable Values for their scenic, recreational, geologic, historic, cultural, fish, wildlife, wilderness and intact ecological systems at the landscape scale, and therefore should be inventoried and considered as eligible rivers. I am, therefore, disappointed to see that only ten segments are considered eligible. I certainly hope that this is the

not the only chance to evaluate wild rivers, for there are many other rivers that are both eligible and suitable. Let this be a consideration of what USFWS considers to be high priority rivers, and in future CCP planning, I request that other rivers be considered, since the Arctic Refuge was set aside to protect Wilderness.

WSR status for many of the Refuge Rivers would assure protection of refuge watersheds as well as the coastal barrier islands and associated waters.

Comment 136801.001

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

In fact, all of the rivers in the Arctic National Wildlife Refuge are emblematic of our nation's most intact and wildest rivers and the epitome of the standard for protection as Wild Rivers in the National Wild and Scenic River System. All of them are free-flowing, have pure, high quality water, and contain one or more Outstanding Remarkable Values (ORVs) for their scenic, recreational, geologic, historic, cultural, fish, wildlife, wilderness and intact ecological systems at the landscape scale. Ecosystem protection and the wholeness of our nation's wildest refuge could be enhanced by such designations, and they could also complement the penultimate Wilderness of the Arctic Refuge. Therefore, all of the Refuge's rivers should be included in the inventory and maintained so that they retain their ORVs.

At the same time, by excluding rivers that clearly meet the standards, the eligibility list, and then suitability list is too limited. The fault originates with the methodology the USFWS used to determine the eligibility of the rivers in the plan, as that methodology does not meet the basic requirements of the Wild and Scenic Rivers Act. The question is whether a river is free-flowing and whether or not it possesses an outstandingly remarkable value of regional or national significance. Instead of assessing the rivers independently of one another as required by the Act, the rivers assessed in the draft Plan were measured against one another, thus resulting in fewer eligible rivers than actually exist. Consequently the FWS's method only selects those rivers that contain the highest percentage of Outstanding Remarkable Values (ORVs), preventing many otherwise qualified rivers from becoming eligible. If a proper assessment was conducted additional rivers would have been found eligible, such as the Katakaturuk and Turner Rivers, and others (see comments submitted on the draft Eligibility Report by Northern Alaska Environmental Center et al., November 15, 2010). The final Plan should include a revised methodology that meets the Act and includes the necessary interim protections afforded rivers found eligible.

Comment 136806.002

**Carl Portman, Deputy Director
Resource Development Council for Alaska Inc.**

With regard to wild and scenic river designations, RDC remains opposed to additional designations in ANWR, which already includes three designated rivers. As with the wilderness proposals, we consider additional designations excessive and unnecessary as current management practices already provide sufficient protection of river corridors.

Comment 136805.157
Sean Parnell, Governor
State of Alaska

Page ELIG-B5 The interview questions asked of the guides and air-taxi operators are leading, and based on the assumption that clients' priorities are "solitude, remoteness, and adventure" when there are other equally valid priorities. Likewise, expedition-style and/or epic-length trips, are not the priority of the vast majority of visitors, particularly given the expense of air charters for mid-trip drop-offs of additional food and supplies.

Comment 032626.004
Greg Warren

Wild and Scenic Rivers: I recommend that the 28 rivers and creeks that are listed in Table 1 of the following Appendix be determined Eligible rivers in the CCP. These rivers are free-flowing and possess at least one outstanding remarkable value. Suitability determinations should be addressed outside of this planning process. If the Refuge proceeds with Suitability, I would appreciate your consideration of a proposed Wild Rivers complex, as depicted in Figure 1 of the Appendix, identifying those rivers as Suitable for designation.

Comment 032626.026
Greg Warren

V1, 3-3, 3.1.1.2 Wild and Scenic Rivers: Important rivers were screened as not being Eligible for Wild and Scenic Rivers designation. However, many of these rivers are free-flowing and possess at least one outstanding remarkable value (ORV). I recommend that the rivers listed in Table 1 of this Appendix be determined Eligible rivers in the CCP. The final CCP should describe the remaining rivers and creeks as not being fully evaluated for Eligibility as part of the CCP revision process.

Comment 032626.065
Greg Warren

V2, ELIG-3, 1.4 Refuge Wild and Scenic Evaluation Team: The Eligibility review should include a team with journeyman level planning skills with each having one or more of the following skill sets: dispersed recreation, scenery, wildlife, physical resources, and cultural/historic. In addition, due to the assessment approach, the team should have survey design and statistical support. These skill sets would help assure that the professional judgments applied to the assessment meet methodology and scientific accuracy requirements (40 CFR 1502.24). I recommend identifying team member specialties in the final rivers study report.

Comment 032626.067
Greg Warren

V2, ELIG-12, 3 Eligibility Study: The ORV assessment describes that, "The purpose of the Eligibility evaluation is to compare and contrast each river to other waters in the ROC for each ORV." This described ROC assessment was not performed by the study team. The team only performed an ordinal evaluation of the 20 rivers presented. I believe that all 20 rivers would likely have one ORV if compared with the other 140 rivers in the Refuge, and the thousands of rivers in comparison regions B, C, and D.

The study states the following, “according to Department of Interior guidance (47 FR 39453-39461 1982), ‘The determination of whether a river area contains ‘outstandingly remarkable’ values is a professional judgment on the part of the study team.’ The study team decided to “grade” the rivers being reviewed by percent-of-total-score for each ORV. A river which received a score of at least 70 percent of the total possible points was assigned that ORV.” These Forest Service and National Park Service guidelines may not apply to the USFWS, but regardless, the approach must still meet NEPA assessment requirements (40 CFR 1502.24). The analysis design and process is fundamental to the results presented and methods need to meet professional analysis standards. This section needs to describe those methods and the limitations of the approach as the team discovered in the Recreation ORV analysis. Given the nature and significance of the Arctic Refuge, I recommend keeping the final process simple by focusing on the plain language from the Act for identifying Eligible rivers. I will continue my review with the assumption that the Refuge will continue to use the 20 identified rivers in the Eligibility process.

Comment 032626.068
Greg Warren

V2, ELIG-12, 3.1 Eligibility Study: I recommend that the rivers listed in Table 1 of this Appendix be determined Eligible rivers in the CCP. Select tributaries of the Jago, Okpilak, Hulahula, and Sadlerochit Rivers should be included in the Eligible river boundaries to establish river systems that connect significant glaciated areas in the Franklin and Romanzof Mountains to the Beaufort Sea. Sadlerochit River should also include the Sadlerochit Spring Creek tributary to the Sadlerochit River.

Comment 032626.069
Greg Warren

V2, ELIG-B1 Scenic ORV: Describe how the middleground and background views were assessed.

Comment 032626.070
Greg Warren

V2, ELIG-B4 Recreation ORV: Almost all of the visitors to the area in 1977 observed wildlife or hunted as an activity, with 29 percent of the non-hunters indicating that viewing wildlife was there most important activity. In the ORV evaluation, I see that wildlife viewing is within the Experience Dimension, but it appears that the rating was based on river use levels, air-taxi operator interviews, and access. I believe that the most important ORV factor for recreation in the Refuge (i.e., viewing wildlife) was not captured in this assessment.

Comment 032626.071
Greg Warren

V2, ELIG-B10 Geologic ORV: I recommend that the proposed boundaries for the Jago, Okpilak, Hulahula, and Sadlerochit Rivers be modified to include the headwaters that connect these rivers to select Franklin and Romanzof Mountains glaciers. In addition, I recommend that Sadlerochit Spring Creek be added as a tributary to Sadlerochit River.

Comment 032626.072

Greg Warren

V2, ELIG-B13 Wildlife ORV: This evaluation needs to include the Porcupine Caribou Herd Calving Area, which is significant at all analysis scales. This recognizable ORV would lead to the rivers that pass through the calving area being Eligible. Caribou Pass along the Kongakut is also significant. The Kongakut, Jago, Okpilak, Hulahula, and Sadlerochit Rivers must be shown as having a Wildlife ORV.

Comment 032626.076

Greg Warren

V2, ELIG General Comment: For braided rivers, the corridor boundaries are measured from the ordinary high water mark of the outermost stream channel.

Comment 032626.073

Greg Warren

-----Preamble/Intro-----

V2, ELIG Eligibility Factors for including Franklin and Romanzof Mountains Headwaters and Sadlerochit Spring Creek:

-----Comment-----

* Jago, Okpilak, Hulahula, and Sadlerochit Rivers upper tributaries would provide each river a connection with the glaciated headwaters of the Franklin and Romanzof Mountains for waters flowing to the Beaufort Sea. Upper Sadlerochit River tributaries should include Kekiktuk River and Carnivore Creek connecting with Lake Peter and Lake Schrader. I believe that the Jago, Okpilak, Hulahula, and Sadlerochit Rivers with tributaries would warrant designation as Eligible rivers due to superlative features encountered from the Franklin and Romanzof Mountains to the Beaufort Sea.

Comment 032626.074

Greg Warren

-----Preamble/Intro-----

V2, ELIG Eligibility Factors for including Franklin and Romanzof Mountains Headwaters and Sadlerochit Spring Creek:

-----Comment-----

* Sadlerochit Spring is the largest spring within the coastal plain. During the winter months, pressurized water discharged from the spring is important to fish and wildlife once other waterways are frozen. The creek passes through polar bear denning habitat and is part of the Porcupine Caribou herd calving area.

Comment 032626.075

Greg Warren

-----Preamble/Intro-----

V2, ELIG Eligibility Factors for including Franklin and Romanzof Mountains Headwaters and Sadlerochit Spring Creek:

-----Comment-----

* Other rivers added were based on the public identifying at least one ORV in the Suitability step (SUIT-C2) without a response from the Service.

3.50.3 General

Comment 137013.002

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

4-10. Wild River management of the Wind, Ivishak, and Sheenjek Wild Rivers. The Refuge manages all three under the wild river management category. The Wind and Ivishak are in a minimum management area, but as the Sheenjek is in the Arctic Wilderness, it should be managed under the wilderness management category, since this category affords the highest degree of protection for the river's values.

Management prescriptions for eligible rivers entirely or partially within existing minimum management areas offer additional protection for these rivers and river segments. Neruokpuk Lakes, found eligible despite not being a river, and the Kongakut River are both entirely within the Arctic Wilderness. They do not need wild river designation or management prescriptions.

That wilderness designation provides the highest degree of security for refuge rivers is documented in Table 2.1—Activities, public uses, commercial activities or uses, and facilities in management categories. In the comparison of wilderness management with wild river management, wilderness management emerges as providing the strongest protection for designated wild rivers within wilderness areas.

Wild river designations, which only Congress can modify or revoke, should be reserved for refuge areas in the other management categories, all of which are subject to modification or revocation at the discretion of refuge administrators.

Comment 137013.003

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

The eligibility and suitability analyses include descriptions of Refuge rivers, and their outstandingly remarkable values. This valuable information deserves to be made separately available to the public as part of the Refuge's public information program, e.g. on the Refuge's website.

Comment 136820.018

**Cindy Shogan, Executive Director
Alaska Wilderness League**

Congress, though section 602 of ANILCA, designated as Wild Rivers portions of the Ivishak, upper Sheenjek, and Wind rivers within the boundaries of the Arctic Refuge. To further its responsibilities under the Refuge Administration Act and the Wild and Scenic River Act, the FWS should more fully describe its management approach to these Wild Rivers. In the CCP, management of the Refuge's Wild Rivers is included in the Management Categories Table, DEIS at 2-73-2-92, and discussed briefly, DEIS at 2-35. While we note that FWS indicates that it will formulate a Comprehensive River Management Plan for the Refuge's designated Wild Rivers as a future step-down plan, DEIS at

6-3, we strongly encourage FWS to more fully discuss the current management regimes for these rivers in the final CCP, as well as describe any detailed measure available to FWS to ensure their continued integrity as Wild Rivers into the future. In this manner, the FWS can assure the preservation of the outstanding values associated with the Refuge's three Wild Rivers.

Comment 000002.004
Friends of Alaska Wildlife Refuges

Wilderness and Wild Rivers — Wilderness land designation would provide overall, enduring protection for the Refuge and its resources. Within wilderness, Wild River designation would be redundant and would compete for funds and resources needed to protect all of the wilderness values. It would introduce additional unneeded regulatory, monitoring, and enforcement requirements. Adopting formal Wilderness designation for all eligible lands in the Refuge should be the priority.

Comment 137014.014
Dan Ritzman, Alaska Program Director
Sierra Club

Congress, though section 602 of ANILCA, designated as Wild Rivers portions of the Ivishak, upper Sheenjek, and Wind Rivers within the boundaries of the Arctic Refuge. To further its responsibilities under the Refuge Administration Act and the Wild and Scenic River Act, the FWS should more fully describe its management approach to these Wild Rivers. In the CCP, management of the Refuge's Wild Rivers is included in the Management Categories Table, DEIS at 2-73-2-92, and discussed briefly, DEIS at 2-35. While we note that FWS indicates that it will formulate a Comprehensive River Management Plan for the Refuge's designated Wild Rivers as a future step-down plan, DEIS at 6-3, we strongly encourage FWS to more fully discuss the current management regimes for these rivers in the final CCP, as well as describe any detailed measure available to FWS to ensure their continued integrity as Wild Rivers into the future. In this manner, the FWS can assure the preservation of the outstanding values associated with the Refuge's three Wild Rivers.

Comment 136805.108
Sean Parnell, Governor
State of Alaska

Page 3-55, § 3.4.5.2 Wild and Scenic Rivers, first paragraph, second sentence. Consistent with our general comment, it is inappropriate to manage rivers to maintain each river's outstandingly remarkable values (ORVs) when the river has merely been studied for eligibility as a wild and scenic river. The values described are river values, not ORVs, which apply only to designated rivers.

Comment 136805.156
Sean Parnell, Governor
State of Alaska

Page I-1, Wild and Scenic River Review. While we continue to object to this review, we offer the following observations. By placing highest value on the rivers which are least used, have the most difficult whitewater, and are most suited to expeditions, the evaluation directly contradicts the statement that "...people visit the rivers in this Refuge because of the holistic recreational opportunities they provide."

We disagree with using solitude as the sole measure for rating the recreational experience of the rivers. Most visitors do not choose their destination river based solely on solitude and the different

qualities they may be seeking are what make some rivers more popular than others. Typically, rafters choose a river based on suitable water levels, ease/speed of floating, good access points for put-in and take-out, scenery, fishing, wildlife viewing, access to hiking, access to hunting and available wildlife, suitable camp sites, suitable river length, and cost of air charter. People choose the rivers that they think will give them the best experience based on their individual criteria, hence it is illogical to place the most experiential value on the least-visited rivers.

We also disagree with awarding the most points to rivers with the highest whitewater rating. Most non-guided floaters are not seeking Class V rapids on a remote trip where the consequences are high. Also, the watercraft most suitable for Class V rapids, hard shell kayaks, are one of the least cost-effective to transport in small planes, which means fewer floaters using remote Class V rivers. Most floaters seek remote rivers with enough velocity to allow floating without constant rowing, but thrilling rapids are not necessarily a requirement. In particular, families with small children and elders tend to avoid remote rivers with serious whitewater and portages.

Comment 032627.040
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

The Service is fulfilling a legal mandate to complete a review of candidate Wild and Scenic rivers within this planning process (Wild and Scenic Rivers Act of 1968 (P.L. 90-542)). The agency is required to complete an inventory of the rivers of the refuge, identify their special values and character and determine their eligibility for Wild and Scenic river designation, including those rivers not currently in designated Wilderness. In finalizing this planning process, we urge the Service to include recommendations for Wild and Scenic river designations for candidate rivers outside of designated or recommended Wilderness Areas only, so that they might be additive protection outside of a Wilderness Area.

Comment 032627.041
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

the agency needs to indicate how it has met and intends to continue to meet the requirements of the Act in managing portions of the Ivishak, upper Sheenjek and Wind rivers within the boundaries of the Arctic Refuge that were designated as wild rivers in Section 602 of ANILCA, and address how the agency is maintaining the outstanding values associated with the Refuge's three Wild Rivers.

Comment 032627.042
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

The Wild and Scenic Rivers Act directed the following:

Sec. 1. (b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. . . . (16 U.S.C. 1271)

Sec. 1. (c) The purpose of this act is to implement this policy by instituting a national wild and scenic

ivers system, by designating the initial components of that system, and by prescribing the methods by which the standards according to which additional components may be added to the system from time to time.

(16 U.S.C. 1272)

Sec. 2. (b) A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and the related adjacent land area that possesses one or more of the values referred to in section 1, subsection (b) of this Act. Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, and administered as one of the following: 1) Wild river areas – Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

2) Scenic river areas – Those rivers or sections of rivers that are free of impoundments, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

3) Recreational river areas – Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past (16. U.S.C. 1273)

-----Comment-----

It is the duty of the Service to address the Wild and Scenic Rivers Act and rivers within the refuge that are either currently designated and managed as Wild Rivers or may be eligible for such designations in the future.

Comment 136706.001
Unnamed 46

-----Preamble/Intro-----

Comments related to permits for temporary facilities

-----Comment-----

If numbers of people are restricted on Wild and Scenic Rivers, would local people also be restricted from the rivers?

Comment 136709.001
Unnamed 49

There was concern that designating rivers as Wild & Scenic would actually attract more people to it – that the designation would be counter productive

Comment 137007.004
Jerry McDonnell

Wilderness and Wild Rivers — Wilderness land designation would provide overall, enduring protection for the Refuge and its resources. Within wilderness, Wild River designation would be redundant and would compete for funds and resources needed to protect all of the wilderness values. It would introduce additional unneeded regulatory, monitoring, and enforcement requirements. Adopting formal Wilderness designation for all eligible lands in the Refuge should be the priority.

Comment 032610.004
Sharon Baur

Wilderness and Wild Rivers — Wilderness land designation would provide overall, enduring protection for the Refuge and its resources. Within designated Wilderness, Wild River designation would be redundant and would compete for funds and resources needed to protect all of the wilderness values. Wild River designation would introduce additional and unneeded regulatory, monitoring, and enforcement requirements. Adopting formal Wilderness designation for all eligible lands in the Refuge should be the priority.

Comment 032611.004
AKNWR Friends

Wilderness and Wild Rivers — Wilderness land designation would provide overall, enduring protection for the Refuge and its resources. Within designated Wilderness, Wild River designation would be redundant and would compete for funds and resources needed to protect all of the wilderness values. Wild River designation would introduce additional and unneeded regulatory, monitoring, and enforcement requirements. Adopting formal Wilderness designation for all eligible lands in the Refuge should be the priority.

3.50.4 Hulahula River

Comment 136817.011
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

ASRC and NSB urge the USFWS to reverse its preliminary suitability determination for the Hulahula River and to determine that the Hulahula River is not suitable for addition to the NWSRS as a wild river. According to the USFWS, “The purpose of the suitability phase is to determine whether eligible segments would be appropriate additions to the NWSRS by considering tradeoffs between development and protection. Suitability factors include the physical, social and political environments; the economic consequences; and the manageability of rivers if they were to be designated.” Draft Plan, App. I. at SUIT-2. ASRC and NSB submit that, based on these factors, the Hulahula River is not suitable for inclusion in the NWSRS.

As an initial matter, like the six rivers that have been preliminarily determined to be not suitable for inclusion in the NWSRS, the Hulahula River is located within the boundary of PLO 2214 (the original Arctic Range) and is already afforded a high level of protection under existing authorities. Like those rivers, the Hulahula River’s visitor use could be managed through a Refuge-wide Visitor Use Management Plan, which is one of the step-down plans identified in the revised CCP. And, the River’s cultural values could be protected sufficiently through a Refuge-wide cultural resources management plan. There is no need to “gain additional management tools through potential designation.” Draft Plan, App. I at SUIT-55.

Other considerations also support a determination of non-suitability for the Hulahula River. ASRC and NSB believe that it would be extremely difficult for USFWS to manage the Hulahula River as part of the NWSRS. The Hulahula River passes through the middle of the Coastal Plain/1002 Area and through the western portion of private land owned by KIC. “[KIC] owns both the uplands and submerged lands along the lower 5.5 miles of the Hulahula River. [ASRC] owns the subsurface beneath KIC lands and may remove sand and gravel (oil and gas development on or below KIC lands still requires congressional authorization).” Draft Plan, App. I at SUIT-51. There are six native

allotments in the area as well. These borders with private land and the potential for future oil and gas exploration and development will create new management issues and make it very difficult for USFWS to manage use in the Hulahula River corridor as part of the NWSRS.

Moreover, as USFWS recognizes, "The Hulahula River is one of the most important subsistence use rivers on the north side of the Refuge, particularly for fishing and Dall's sheep hunting by Kaktovik residents." Draft Plan, App. I at SUII-51. The River is very important to local people who rely on it for pursuing a more traditional way of life. Despite USFWS's assertions to the contrary, ASRC and NSB continue to believe that, like wilderness designation, inclusion of this river (or any other river in the Coastal Plain) in the NWSRS would needlessly complicate and restrict access to subsistence resources, impairing the ability of the river and adjacent lands to provide for continued subsistence use and related needs of rural residents. ASRC and NSB believe that application of the suitability factors cited in the Draft Plan, including consideration of the critical importance of the river corridor to subsistence use, clearly leads to the conclusion that the Hulahula River is not suitable for inclusion in the NWSRS, and that it should be included with the other six rivers for which the USFWS has made a preliminary determination on non-suitability.

Comment 032621.003
Karen Jettmar, Wilderness Guide/Director
Equinox Wilderness Expeditions

-----Preamble/Intro-----

Hulahula River

-----Comment-----

WSR designation would ensure protection of subsistence resources, and would also assure that Native allotments maintain uses that are harmonious with Arctic Refuge purposes.

3.50.5 Interim Management

Comment 032675.012
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

While we do not concede that the Service has the necessary legal authority to conduct the wild and scenic river reviews in view of the ANILCA restrictions, the draft plan under all alternatives would implement interim management prescriptions for any rivers found to be suitable for designation. However, the Wild and Scenic River Suitability Report (Appendix I) contains only preliminary determinations that the Atigun, Marsh Fork Canning, Hulahula and Kongakut are suitable for designation.

In spite of these "preliminary" determinations, the DCCP (pg. 5-14) clearly states that interim management prescriptions will be implemented under Alternative A, the "no action" alternative: "The effects here are specific to a 'no recommendation' alternative, but even without a recommendation for designation, the 0 RVs for the four suitable rivers still need to be protected. Interim management prescriptions will be required for all four rivers in Alternative A. " According to the Wild and Scenic River Study Process Technical Report cited in the suitability report:

"Through land use plans, rivers and streams in the affected planning area are evaluated as to their eligibility and given a preliminary classification if found eligible. A determination is made as to their suitability in the agency's decision document for the plan." (Technical Report, pg. 9)

Although the Suitability Review (SUII -95) states that the suitability determinations will be

finalized with the record of decision for the revised CCP, statements in the DCCP and EIS appear to indicate the Service has elected not to wait for the completion and release of the final Revised CCP and EIS or the record of decision before making a final decision on the suitability of the four rivers. Making this type of determination prior to the release of a record of decision is inconsistent with NEP A guidelines and the Department of the Interior NEP A regulations at 43 CFR Part 46.

In addition, we do not believe that these types of management prescriptions, outlined in Table D-I in Appendix I, can be implemented under Alternative A, the so-called "no action" alternative. Similar premature determination problems exist for the other alternatives, each of which lists one or more of the four "suitable" rivers that would be subject to the interim management prescriptions, again clearly implying that final suitability determinations have been made for all alternatives.

The plan (Appendix 1- SUIT-6) correctly points out that identifying a river as a candidate for study under Section 5(d)(1) of the WSRA does not trigger specific protection under the act, but is derived from an agency's existing authorities. However, the final CCP and EIS should clarify the following statement in the preliminary suitability determinations for the Atigun, Marsh Fork Canning, Hulahula and Kongakut:

"The Wild and Scenic Rivers Act provides useful tools for managing and protecting the values in this river corridor. "

Clarification in the final CCP should include specific examples of the types of management "tools" the WSRA provides that are not otherwise available and how they would "provide a complimentary set of protections to other Refuge and Service policies and programs." (SUIT-23). It is obvious from the interim management prescriptions found in Table D-I that these tools are simply another mechanism that the Service will use to place limits on public use or restrict access within these river areas.

Evidence of this is provided in the Suitability Review in the preliminary suitability determinations for the rivers found "not suitable." In discussing why each river was found not suitable, the plan lists various statutes, such as ANILCA and the Endangered Species Act, along with an array of plans, such as the Revised CCP and the various proposed step down plans, that will ensure adequate protection for the outstanding values of each river. It is essential that the main body of the Revised CCP provide the public with an explanation on how these WSRA tools would be integrated into the various standards and procedures required to be followed by ANILCA and the Alaska specific regulations found in 50 CFR Part 36 before the Service can restrict or limit public uses of refuges. No interim management guideline can supersede or override these ANILCA standards and procedures.

Comment 032675.013
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

We also note one key error in the list of activities and uses which may be authorized or allowed under the interim management guidelines. On page SUIT D-8, under Public Use Cabin, Table D-1 states that public use cabins are not allowed within river corridors in either designated wilderness or minimal management areas. This is not correct. This guideline should be revised to recognize the authority for cabin construction found ANILCA Section 1315(d), which would not be superseded by any management guidelines whether a river if found suitable or eventually designated.

Comment 136805.009
Sean Parnell, Governor
State of Alaska

Despite the lack of any authority to conduct wild and scenic river reviews, the draft Plan establishes an interim management standard and directs the Refuge to protect river .outstandingly remarkable values. (ORVs) of all rivers found eligible or suitable for inclusion in the Wild and Scenic River System during the Refuge's wild and scenic river review.

Interim management prescriptions for protecting rivers eligible for suitability are typically developed to protect ORVs until suitability is determined at some future date. (page 5-8, Section 5.2.3, emphasis added)

Refuge rivers found suitable but not recommended would receive interim management protection under all alternatives. In other words, the effect of not recommending rivers for designation would be that suitable rives would continue to be protected by interim management prescriptions specific to preserving each river's ORVs and general protection afforded rivers with Refuge status. (page 5-9, Section 5.2.3, Emphasis added)

Pending Congressional action, the Service would use interim management prescriptions to manage each recommended river for the ORVs for which it was found eligible. (page 5-21, Section 5.4, emphasis added)

However, even without a recommendation for designation, the ORVs of rivers found suitable still need to be protected. (page 5-21, Section 5.4, emphasis added)

Like the wild and scenic river reviews themselves, this interim management standard lacks foundation and is inappropriate. The assertion that the Refuge is obligated to indefinitely protect ORVs for all rivers that merely meet the minimum criteria to be studied, with or without Congressional action, is misguided. ORVs are defined by the Wild and Scenic Rivers Act as values for which a river is .designated.. In fact, the only reference to ORVs specifically applies to rivers designated under the Act.

It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

It is difficult to understand how the river values identified for evaluation purposes can be .defined. as ORVs, let alone remain attached to a river, when the river is not even recommended for designation. ANILCA Section 1326(b), which prohibits additional studies unless authorized by Congress, clearly intended to prevent such unnecessary layers of restrictive management and all statements that indicate such intent must be removed.

3.50.6 Kongakut River

Comment 032621.004
Karen Jettmar, Wilderness Guide/Director
Equinox Wilderness Expeditions

Kongakut River - Since this river is entirely in designated wilderness, it should be considered for WSR status.

Comment 032627.025
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

In discussion of effects of Alternative A, (Page 5-19) the text inappropriately claims that by allowing the quality of wilderness opportunities to degrade on the Kongakut (which is the current situation) that the “freedom and unconfined recreation... may balance the degradation.” The Draft CCP fails to indicate that the Service is legally bound to preserve wilderness character (Section 4(b) of the Wilderness Act) for such designated areas as the Kongakut.

Comment 032627.024
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

-----Preamble/Intro-----

In addition, we have the following specific comments regarding wilderness stewardship and visitor use:

-----Comment-----

Given the wide recognition of long standing wilderness quality degradation on the Kongakut River, and other areas in the Refuge, all alternatives should have included a commitment to address this problem in a subsequent step down plan.

Comment 032628.015
Fran Mauer, Alaska Chapter
Wilderness Watch

Pages 4-215, 4-216 and others In several instances the draft CCP acknowledges that wilderness qualities along the Kongakut River are degraded by high levels of visitor use. The Draft CCP fails, however, to address the fact that the Kongakut is not the only area of the Refuge where values have been degraded. Public comments were submitted during scoping, which included, as an example, photographic documentation of an aircraft landing strip scar on the upper Sheenjok River (in designated Wilderness and within the Wild River corridor) which had occurred since 1980 (see scoping comments submitted by Mr. Greg Warren for more details). There are many other such examples that have been brought to the attention of the Refuge Manager and staff over a number of years. Omissions of this type render the draft CCP inadequate for meeting the basic requirements to “identify and describe significant problems” (Section 304 (g)(2)(E) of ANILCA). The Final CCP must describe and address resource problems in a more thorough and comprehensive manner. Given the wide recognition of long standing wilderness quality degradation on the Kongakut River, and other areas in the Refuge, all alternatives should have included a commitment to address this problem.

Comment 136711.001
Unnamed 50

If you start limiting access to the Kongakut, the limitations could carry over to the other rivers

3.50.7 Marsh Fork Canning River

Comment 032621.002
Karen Jettmar, Wilderness Guide/Director

Equinox Wilderness Expeditions

-----Preamble/Intro-----

Marsh Fork Canning:

-----Comment-----

I believe it is especially important to designate the river for the protection of grey-headed chickadee (Siberian Tit) breeding and nesting habitat.

3.50.8 Other Rivers

Comment 137013.001

**Jack Hession, Senior Campaign Manager
Alaska Chapter Sierra Club**

We urge the Service to recommend wild river designation for the following eligible and suitable rivers and eligible river segments:

a. Eligible/suitable rivers entirely within Minimum Management areas.

Atigun River. Suitable

Marsh Fork of the Canning River. Suitable.

Porcupine River. Eligible.

b. Eligible/suitable river segments within the 1002 Minimum Management area north of Arctic Wilderness.

Canning River. Eligible.

Jago River. Eligible.

Okpilak River. Eligible.

Hulahula. Suitable.

Comment 136820.002

**Cindy Shogan, Executive Director
Alaska Wilderness League**

We also object to the FWS's treatment of the Canning River. While they have different names, the Canning is the downstream portion of the Marsh Fork of the Canning River, and they both should be found suitable. FWS has noted elsewhere that the Canning "is the longest and has the greatest water volume of the refuge's north flowing rivers. Both the Canning and its major tributary, the Marsh Fork, have headwaters access and float through scenic, glaciated valleys." [2] It is one of the most floated and hiked rivers (USFWS 1993, USFWS April 2010). It is important to fish, birds, and caribou from both the Porcupine and Central Arctic herds, for land denning of polar bears, and has a rich cultural heritage as well as historical significance from early explorers such as Leffingwell and others. In the WSR study, the Canning River should be described to include all of its distributaries and tributaries, particularly within its delta, including the Staines River. The Tamayariak River and its major tributaries joins the Canning River delta in a complex of wetlands, lakes, and complex mudflats that all provide outstanding migratory bird habitat, in addition to the fisheries habitats well documented by FWS studies.

Comments on the draft Eligibility Report submitted by Northern Alaska Environmental Center et al., November 15, 2010 provided additional support for inclusion of the Canning River included as

eligible for study. The Canning River should be found suitable as it has the highest score for overall Wildlife ORVs and highest Wildlife Diversity of all 20 rivers found eligible, and the highest Cultural Value ORV as any eligible river in the Arctic Ocean drainage, and as high a diversity of Recreational Uses as any eligible river. This remarkable river has many high ORVs including wildlife and fish; recreation, and culture, according to the Wild and Scenic River Review in Appendix I. While the WSR Review notes that there is value to designation of the Canning River to protect against development outside the Refuge's boundaries, the FWS has erroneously concluded that activities could take place on the adjacent State of Alaska lands above the common high water mark of the west bank, that this should preclude suitability even though the entire length of the Canning is in Federal ownership and is managed by the Refuge. In fact, the Review states, "Federal ownership of most of the river, its beds, and banks makes it feasible to consider the Canning River for designation and that all its tributaries should be considered for review." (WSR Review at SUIT-31). We disagree with the preliminary determination that the Canning is not suitable, and find that a poor rationale for this decision is provided: "It would be difficult for the Service to manage the Canning River as part of the NWSRS because of its boundary with State land that has high potential for oil and gas development." (WSR Review at SUIT-31). Only one comment had opposed designation of the river during the eligibility phase review (WSR Review at SUIT-30).

Comment 032668.001

Brad Bergstrom

Dept. of Biology, Valdosta State University

we suggest that the Jago River also be considered for NWSR designation, given its high wildlife ranking (1 of 3 rivers identified to have outstandingly remarkable value for wildlife), importance to musk ox (Reynolds 1992), and sensitivity to potential oil and gas development.

Comment 032621.008

Karen Jettmar, Wilderness Guide/Director

Equinox Wilderness Expeditions

Porcupine River-

As a trans-boundary river and migration corridor for fish and wildlife, the Porcupine is clearly worthy of WSR protection.

Comment 032621.005

Karen Jettmar, Wilderness Guide/Director

Equinox Wilderness Expeditions

-----Preamble/Intro-----

Okpilak River

-----Comment-----

The hot springs should be a National Natural Landmark.

Comment 032621.007

Karen Jettmar, Wilderness Guide/Director

Equinox Wilderness Expeditions

-----Preamble/Intro-----

Neruokpuk Lakes

-----Comment-----

I recommend WSR river designation.

Comment 136801.002

**Pamela Miller, Arctic Program Director
Northern Alaska Environmental Center**

We also object to the FWS's treatment of the Canning River. While they have different names, the Canning is the downstream portion of the Marsh Fork of the Canning River, and they both should be found suitable. FWS has noted elsewhere that the Canning "is the longest and has the greatest water volume of the refuge's north flowing rivers. Both the Canning and its major tributary, the Marsh Fork, have headwaters access and float through scenic, glaciated valleys."¹¹ It is one of the most floated and hiked rivers (USFWS 1993, USFWS April 2010). It is important to fish, birds, and caribou from both the Porcupine and Central Arctic herds, for land denning of polar bears, and has a rich cultural heritage as well as historical significance from early explorers such as Leffingwell and others. In the WSR study, the Canning River should be described to include all of its distributaries and tributaries, particularly within its delta, including the Staines River. The Tamayariak River and its major tributaries joins the Canning River delta in a complex of wetlands, lakes, and complex mudflats that all provide outstanding migratory bird habitat, in addition to the fisheries habitats well documented by FWS studies.

Comments on the draft Eligibility Report submitted by Northern Alaska Environmental Center et al., November 15, 2010 provided additional support for inclusion of the Canning River, which FWS found eligible but not suitable. The Canning River should be found suitable as it has the highest score for overall Wildlife ORVs and highest Wildlife Diversity of all 20 rivers found eligible, and the highest Cultural Value ORV as any eligible river in the Arctic Ocean drainage, and as high a diversity of Recreational Uses as any eligible river. This remarkable river has many high ORVs including wildlife and fish; recreation, and culture, according to the Wild and Scenic River Review in Appendix I.

While the WSR Review notes that there is value to designation of the Canning River to protect against development outside the Refuge's boundaries, the FWS has erroneously concluded that activities could take place on the adjacent State of Alaska lands above the common high water mark of the west bank, that this should preclude suitability even though the entire length of the Canning is in Federal ownership and is managed by the Refuge. In fact, the Review states, "Federal ownership of most of the river, its beds, and banks makes it feasible to consider the Canning River for designation and that all its tributaries should be considered for review." (WSR Review at SUIT-31). We disagree with the preliminary determination that the Canning is not suitable, and find that a poor rationale for this decision is provided: "It would be difficult for the Service to manage the Canning River as part of the NWSRS because of its boundary with State land that has high potential for oil and gas development." (WSR Review at SUIT-31). Only one comment had opposed designation of the river during the eligibility phase review (WSR Review at SUIT-30).

The discussion of oil and gas activities on the State lands outside the Refuge, mistakenly implies that incompatible supporting activities, including water withdrawals, and gravel mining could be allowed and might take place within the Canning River channel (WSR Review at SUIT-29). For clarity, the WSR Review should contain language that oil and gas leasing, exploration, development, and production are prohibited by law within the Arctic Refuge and furthermore that these oil and gas activities could not be permitted in the refuge because they are incompatible with its purposes. In fact, the threats on the adjacent land provide greater rationale for the worthwhile nature of the Canning gaining protections as a Wild River including its interim protections. It is vulnerable and the FWS needs to use all tools at its disposal to prevent degradation of the Canning River's

outstandingly remarkable values. Therefore the benefits to protecting its values are appropriate for achieving the goals of the Wild and Scenic Rivers Act as well as fulfilling Refuge purposes, far offsetting any difficulties that the ownership of adjacent lands might pose.

Comment 136759.001
Unnamed 2

would want some of the Chandalar as Wild and Scenic River

Comment 136708.001
Unnamed 48

Why was the Jago River not included for the Wild and Scenic River review?

Comment 032613.003
Jon Klingel

East Fork of Chandalar River:

The East Fork of the Chandalar does have several of the characteristics that qualify it for Wild and Scenic status: free flowing, fish & wildlife, recreation, and historic native American use. The scenery is not spectacular but the country is beautiful and wild. The area near Arctic Village does receive power riverboat use. I suggest you assess this river for a recommendation as Wild and Scenic.

Comment 000065.002
Craig Mishler

Having been there repeatedly, I strongly
50 support the proposed consideration of the east fork of

1 the Chandalar for inclusion in the National Wild and
2 Scenic River system.

Comment 137001.001
David VanDenBerg

No Alternative, C included, carries a suitability determination for the Canning River. This is surprising and I ask that it be remedied: the Canning River should be deemed suitable for WSR designation and included in Alternative C.

The argument given in the Wild and Scenic River Draft Suitability Report's Preliminary Suitability Determination for the Canning River on p. 31 sites the "extreme difficulty" of managing the Canning as a WSR when its western extremity borders state lands. The argument relies on the notion that the Canning's cultural, wilderness and wildlife endowment will be protected by "the Refuge's natural resource strategies applied at a Refuge-wide or ecosystem level" without admitting that these strategies would be no less confounded by the state lands than would an added layer of protection.

I agree with the memo's assertion, again on p. 31, in the same paragraph, that "fragmenting fish and wildlife management along a river corridor is not the most appropriate management strategy." And yet this is exactly what will happen – happens now – if USFWS does not include the Canning River

among those deemed suitable for inclusion as a Wild River. Management will remain fragmented by warring jurisdictions that will militate against every Refuge-wide, ecosystem level management strategy you try to enact.

I urge you to think about how the argument the agency used here to deny suitability works far better in support of suitability.

Comment 136777.001

Lance Whitwell

make [the] whole Chandalar [a] Wild& Scenic River so USFWS will restrict non-resident access and protect our drinking water from above Arctic Village.

Comment 032663.001

Kevin Proescholdt

Wild and Scenic Rivers. I support the recommendation in the Draft Revised CCP that the four rivers be recommended for designation in the Wild and Scenic Rivers System (WSRS). More rivers in the Refuge deserve this status beyond these four, however, including the Porcupine River. I have canoed the entire length of the Porcupine River through the Refuge. It appears that the main reason for not recommending wild and scenic river status for the Porcupine is the opposition of the State of Alaska. If the Fish and Wildlife Service does NOT recommend all three WSAs as Wilderness, the agency must go back and open up the rivers evaluation again to provide some protection for these outstanding rivers.

3.50.9 Review Process (includes Appendix I)

Comment 032675.011

Stan Leaphart, Executive Director

Citizens' Advisory Commission on Federal Areas

The Commission has already commented that the Wild and Scenic River Review is a violation of ANILCA 1326(b) and therefore invalid. We are aware that federal agencies have avoided this prohibition on further studies by including them as part of various plan revisions such as the current effort for the ANWR CCP. Nevertheless, we again must point out that such actions violate both the letter and the intent of this section of ANILCA.

The plan cites Section 5(d)(l) of the Wild and Scenic Rivers Act (WSRA) as the authority for conducting the eligibility and suitability reviews of the 10 rivers in the Arctic Refuge. That section of the WSRA directs federal agencies to consider potential wild, scenic and recreational rivers during planning activities. In view of the language in Section 1326(b) the review requirements found in Section 5(a) of the WSRA do not apply in Alaska, despite agency claims to the contrary.

Congressionally authorized studies are found in Section 5(a) of the WSRA. In addition to designating 26 rivers or river segments as components of the wild and Scenic River System, ANILCA amended Sections 5(a) and (b) of the WSRA by designating 12 Alaskan rivers for study and establishing a timeline for completing those studies. Those studies have long been completed and the appropriate reports submitted to Congress. No further studies were authorized.

Comment 136707.001
Unnamed 47

The way rivers are used – customary use - makes people who use the river a resource of the river and needs to be considered when evaluating river values

3.50.10 Suitability (includes Appendix I)

Comment 136820.003
Cindy Shogan, Executive Director
Alaska Wilderness League

The discussion of oil and gas activities on the State lands outside The Refuge mistakenly implies that incompatible supporting activities, including water withdrawals, and gravel mining could be allowed and might take place within the Canning River channel (WSR Review at SUIT-29). For clarity, the WSR Review should contain language that oil and gas leasing, exploration, development, and production are prohibited by law within the Arctic Refuge and furthermore that these oil and gas activities could not be permitted in the refuge because they are incompatible with its purposes. In fact, the threats on the adjacent land provide greater rationale for the worthwhile nature of the Canning gaining protections as a Wild River including its interim protections. It is vulnerable and the FWS needs to use all tools at its disposal to prevent degradation of the Canning River's outstandingly remarkable values. Therefore the benefits to protecting its values are appropriate for achieving the goals of the Wild and Scenic Rivers Act as well as fulfilling Refuge purposes, far offsetting any difficulties that the ownership of adjacent lands might pose.

Comment 136817.012
Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough

The Coastal Plain / 1002 Area, as discussed above, has unique status under Federal law. As USFWS has at least facially acknowledged throughout this planning process, Congress has reserved for itself in sections 1002(i) and 1003 of ANILCA, 16 U.S.C. §§ 3142(i), 3143, the decision as to whether or not the 1002 Area should be made available for oil and gas development. Given this fact, the USFWS should not take any action through this CCP revision process that would have the intent or effect of prejudging Congress's decision relating to this reserved authority.

As with the wilderness issue, it is difficult to envision how the USFWS can undertake wild and scenic river ("WSR") review independent of the issues that the agency has recognized are reserved by law for congressional decision and beyond the scope of this CCP revision process. Like the issue of wilderness review, the issue of WSR review is inextricably linked with the question whether the 1002 Area should be made available for oil and gas development—a question, as discussed above, specifically reserved for congressional decision. Indeed, in discussing the suitability of the Hulahula, Jago, and Okpilak Rivers, USFWS recognizes that "Recreational use and oil and gas exploration and development have the highest potential to be enhanced, foreclosed, or curtailed if the area were included in the NWSRS." Draft Plan, App. I at SUIT-52; see also Draft Plan, App. I at SUIT-59, SUIT-75. "There are continuous attempts to open the 1002 Area to oil and gas exploration and Development." Draft Plan, App. I at SUIT-59, SUIT-75. "Oil and gas exploration and development in the Hulahula River corridor could be impacted as a result of designation." Draft Plan, App. I at SUIT-53.

The USFWS itself, then, explicitly acknowledges that its decision whether or not to recommend certain rivers for inclusion in the NWSRS could impact decisions with respect to whether certain areas are opened to potential oil and gas exploration and development. Given the agency's recognition that Congress has reserved for itself the decision as to whether or not the Coastal Plain should be made available for oil and gas development, and its prior conclusion that inclusion could impact oil and gas development determinations, further consideration of alternatives that would recommend WSR designation for rivers in the Coastal Plain is inappropriate and undermines congressional authority to make the ultimate decision on oil and gas development.

Comment 032668.002

Brad Bergstrom

Dept. of Biology, Valdosta State University

We also call into question the ability of total raptor nest counts and number of habitat types to accurately identify potentially wild rivers south of the continental divide that are also important for mammalian species. Although the size and lack of resources available for surveying the entire ANWR clearly impact the ability to accurately assess such conditions, additional surveys targeting other components of biodiversity (e.g. furbearer abundance) should be included in delineating outstandingly remarkable values.

Comment 136789.009

Bob Childers, Executive Director

Gwich'in Steering Committee

Correction: Native Village of Venetie Tribal Gov't holds title to the subsurface of E. Fk. Chandalar River to the middle of main channel. Please correct discussion at p. SUIT-43

Comment 136789.010

Bob Childers, Executive Director

Gwich'in Steering Committee

Discussion of caribou fence at SUIT-38 - please indicate "Kutchin" is archaic word for "Gwich'in". Reader should be informed those are our fences.

Comment 136805.158

Sean Parnell, Governor

State of Alaska

Page SUIT-11, Criteria 9, Support by State Governments. The State of Alaska does not support additional study or designation of new Wild and Scenic Rivers. Doing so violates ANILCA Section 1326(b). It is both irrelevant and misleading to reference the Alaska Statewide Comprehensive Outdoor Recreation Plan with regard to existing State recreation rivers and strongly request the section be modified as follows.

[Although the Alaska Statewide Comprehensive Outdoor Recreation Plan of 2009–2014 (Alaska Department of Natural Resources 2009a) states that designated wild and scenic rivers provide opportunities for outdoor recreation unsurpassed anywhere, and the State of Alaska has designated State recreation rivers, t]The State of Alaska does not support new designations.

Comment 032626.027
Greg Warren

V1, 3-7, 3.1.3.2, Wild River Actions not in the Alternatives: Due to process issues, I believe that only Eligible rivers should be identified in the final CCP. Suitability determinations should be addressed through another planning process. If the Refuge proceeds with Suitability, I would appreciate consideration of a proposed Wild Rivers complex as depicted in Figure 1 of this Appendix identifying those rivers as Suitable for designation.

Comment 032626.044
Greg Warren

V1, 5-8, 5.2.3 Rivers Reviewed for Wild and Scenic Potential: The Wild and Scenic Rivers review process undertaken as part of the CCP is flawed. Therefore, I would advise not completing Suitability determinations as part of this planning process. Instead of determining Suitability, I recommend that the rivers listed in Table 1 of this Appendix be determined Eligible rivers in the CCP. They are all free-flowing have one or more ORV. The final CCP should describe the other rivers and creeks as not being fully evaluated for Eligibility as part of CCP revision process. If Suitability recommendations are postponed for another planning process, than all of the rivers in Table 1 should retain their Eligibility status and be protected with management prescriptions.

Comment 032626.077
Greg Warren

V2, SUIIT-6, 1.4.2 Suitability Phase: I request to be considered as a stakeholder through the completion of the CCP and in the development of all future Arctic Refuge step-down management plans and compatibility determinations.

Comment 032626.078
Greg Warren

V2, SUIIT-9 Suitability Factors, Criteria 2: I reviewed Federal and State “navigable water” definitions and found major differences. It is my understanding that adjudicating the extent and precise boundaries of navigable waterways will take many years to resolve with certainty. The land status uncertainty would be one reason to maintain those rivers with state claims as Eligible rivers until adjudication is complete.

Comment 032626.079
Greg Warren

V2, SUIIT-11 Suitability Factors, Criteria 9: Stakeholder comments need to be purged from the analysis, CCP and EIS, since the collection method is inconsistent with the Paperwork Reduction Act (5 CFR 1320).

Comment 032626.080
Greg Warren

V2, SUIIT-31, 2.2.3 Canning River Preliminary Suitability Determination: The Canning River had

the highest rating for the Wildlife ORV. I do not agree that the potential development on the non-Federal lands would make it extremely difficult to manage for the Wildlife ORV and the overall values of the Refuge. There is no requirement to prescribe the river boundary on the State land on the west side of the river. Therefore, I recommend a determination of Suitable.

Comment 032626.081
Greg Warren

V2, SUIIT-61, 2.6.3 Jago River Preliminary Suitability Determination: The narrative reads as being supportive of recommending Suitability. It is not until the discussion regarding the preliminary determination that any reasons are given for not designation. Having the river located in Wilderness is not an appropriate reason not to designate. The identification and protection of ORV could enhance Wilderness programs with no downside for the most protective provisions would apply. The bulk of the wildlife ORVs identified are outside of Wilderness and would lose Wild River protection if not designated. Dual designation provide for protected measures from both Acts, so I believe that the statement, "Wild and Scenic Rivers Act does not provide the most appropriate management tool" is inconsistent with legislative direction (16 U.S.C. 1281(b)). The Wildlife ORV is superlative. Therefore, I recommend a determination of Suitable.

Comment 032626.082
Greg Warren

V2, SUIIT-72, 2.8.3 Okpilak River Preliminary Suitability Determination: The narrative reads as supportive of recommending Suitability. It is not until the discussion regarding the preliminary determination that any reasons are given for not designating. Having the river located in Wilderness is not an appropriate reason not to designate. The identification and protection of ORV could enhance Wilderness programs with no downside (16 U.S.C. 1281(b)). The bulk of the wildlife ORVs identified are outside of Wilderness and would lose Wild River protection if not designated. The Wildlife ORV is superlative, but not accurately rated in the Eligibility section. The scenic, geologic, and primitive recreation values are unmatched. Therefore, I recommend a determination of Suitable.

Comment 032626.083
Greg Warren

V2, SUIIT Proposed Arctic Wild Rivers Complex: If the Refuge proceeds with Suitability, I would appreciate consideration of a proposed Wild Rivers complex as depicted in Figure 1 of this Appendix. Each of the rivers and tributaries displayed would meet one or more ORVs. The ORVs are superlative at several scales. The remarkable values include glaciated headwaters and the coastal plain that is rich in wildlife. The scenic and primitive recreation values are unmatched. I believe that a collection of rivers along this area of the Brooks Range would be much richer and more protective of the Refuge's values, especially in the coastal plain, rather than a subset of these rivers being determined as Suitable. I recommend a determination of Suitable for the river complex that is displayed in Figure 1 of this Appendix.

Comment 032626.084
Greg Warren

V2, SUIIT-B1 Stakeholder Survey: The stakeholder survey does not comply with the Paperwork Reduction Act (5 CFR 1320). Therefore, the information collected through the survey cannot be

legally used in the analysis, CCP, EIS, and ROD. Penalties could be applied to the Service and the approving official.

Comment 032626.085
Greg Warren

V2, SUI Recommendation: I recommend that the rivers listed in Table 1 of this Appendix be determined Eligible rivers in the CCP. Other select tributaries of the Jago, Okpilak, Hulahula, and Sadlerochit Rivers should be included in the Eligible river boundaries to establish river systems that connect significant glaciated areas in Franklin and Romanzof Mountains to the Beaufort Sea. Figure 1 of this Appendix displays some of the headwater tributaries that are possible extensions to the rivers identified in Table 1. The final CCP should describe the remaining rivers and creeks as not being fully evaluated for Eligibility as part of the CCP revision process. Eligible rivers should be identified in the CCP and Suitability determinations should be addressed outside of this planning process. I am making this recommendation due the concerns expressed in this review. I would prefer that the final CCP not be delayed due to the Wild and Scenic Rivers Suitability determination process.

Comment 032626.086
Greg Warren

V2, SUI-D1, D.1 Interim Management Prescriptions: If Suitable rivers are not identified in the final CCP, this section will need to address providing interim direction for rivers determined Eligible. Segments determined Eligible would be subject to protection until the Suitability stage is completed. Protection of the free-flowing characteristics and ORVs of agency-identified study rivers occurs through other authorities. For example, a federal or federally permitted action subject to the National Environmental Policy Act process would have to consider the effects on the free-flowing and ORVs of any affected Eligible stream segments.

A management prescription should be added that states, "To extent authorized by under law, the free-flowing characteristics of Eligible river segments cannot be modified to allow any or all of the following: stream impoundments, diversions, channelization, and river bank stabilization."

3.50.11 Wind River

Comment 136986.002
Peggy Nelson

I am sorry to see that the Wind River is not mentioned. My canoe trip down that river was a highlight of my decades long engagement with wilderness and wild places. However, as it is part of a WSA, with wilderness consideration pending, perhaps the Wind will be preserved to the highest degree.

3.51 TOPIC: Wilderness

3.51.1 Acceptable Uses / Activities (e.g., Leave-No-Trace)

Comment 136858.001

Unnamed 10

Re wilderness: Concerned that plans could change in the future (as in future restrictions for lands in wilderness designation)

3.51.2 Characteristics / Qualities

Comment 136817.009

**Rex Rock & Edward Itta, President&CEO/Major
ASRC/North Slope Borough**

ASRC and NSB continue to maintain that the area identified in the Draft Plan as the Coastal Plain WSA does not meet the Wilderness Act's minimum requirements for designation as wilderness, and is therefore not suitable for consideration for congressional designation as such. Section 2(c) of the Wilderness Act defines "wilderness" as follows:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

16 U.S.C. § 1131(c) (emphasis added).

Despite the Draft Plan's conclusion to the contrary, Draft Plan at 4-13, this definition does not describe the Coastal Plain. As the Draft Plan itself recognizes, "[t]he Iñupiat and Athabascan people of the region have used the lands and resources of the Refuge for many centuries." Draft Plan at 4-128. This long history of use and occupancy makes the area identified in the Draft Plan as the Coastal Plain WSA unsuitable for recommendation for wilderness designation.

Rather than relying upon the definition of wilderness as specifically set forth by Congress in the Wilderness Act, the USFWS wrongly redefines these wilderness criteria to have an overwhelming focus on that which is "modern." The Draft Plan describes wilderness as: (1) being "free from roads, structures, and other evidence of modern human occupation or improvements;" (2) "essentially unrestricted and free from modern human control or manipulation;" and (3) "substantially free from the effects of modern civilization." Draft Plan at 4-13 (emphasis added). Yet, the term "modern," of course, appears nowhere in the statutory definition of wilderness. Compared to the way of life enjoyed by most people in the lower-48 states, the way of life enjoyed by residents of Alaska's North Slope would not reflect what most people would consider modern. Nonetheless, it is our way of life. The fact that we live without certain modern conveniences and that we work and live in modest

structures does not, as USFWS seems to believe, make the lands on which we live undeveloped, untrammled, or natural.

The Village of Kaktovik, the only village within the 19.6 million acres of the ANWR's boundaries, is situated within the 1.5 million acres of the Coastal Plain. As noted above (and on page 4-6 of the Draft Plan), ASRC and KIC, the Native Corporation for the Village of Kaktovik, own more than 92,000 subsurface and surface acres, respectively, in the Coastal Plain. Kaktovik is the ancestral village center of the native Qaaktu'vigmiut (Kaktovikmiut) of the Arctic Coast of Alaska. These lands that these Iñupiat people have called home for thousands of years extend from the continental divide in the Brooks Range to approximately 100 kilometers offshore in the Arctic Ocean, from the Sagavanirktok River on the west, well into present-day Canada on the east. For centuries, the Qaaktu'vigmiut have made their home along the coast, surviving off the resources of the waters and lands between the Arctic Ocean and the mountains to the south. Iñupiat are the only indigenous people of this land. For thousands of years, their culture has been defined by their connection with this place and all of the bounty it provides. This close relationship with the land has sustained the Qaaktu'vigmiut people in this challenging Arctic environment for ages.

The area also has a military history that has had an effect on the lands. In 1947, the U.S. Air Force constructed a runway and hangar on the historic Kaktovik Village site. Soon thereafter, the runway was extended and the area served as the site for installation of a Distant Early Warning Line (DEW Line) radar station, named BAR Main. Two other intermediate DEW Line sites were built fifty miles east and west of the Kaktovik site. The eastern site was named BAR-A and is located near Demarcation Bay. The western site was named POW-D and is located near Brownlow Point. The three stations were among the earliest constructed in the DEW Line program. Their construction involved airstrips, fuel tank farms, landfills, housing and working quarters, primitive sewage disposal systems, radar antennas and the like. DEW Line construction logistics involved the use of tractor-conveyed skid-mounted trains (known as "Cat Trains") which moved from site to site. The Cat Trains were used even in the summer months, before it was learned that it was easier and less damaging to travel over frozen ground and snow cover. The scars left by the Cat Trains along the North Slope coastline remain visible to this day; the Coastal Plain of ANWR is definitely NOT untrammled. See Draft Plan at 4-136. Although the radar towers have since been removed, impacts on the lands remain.

The Coastal Plain is not appropriate for consideration for wilderness designation. "Man" has called the Coastal Plain home for thousands of years, and can hardly be considered a "visitor" there. And, the area is clearly not one without human habitation. Any suggestion to the contrary—to say that our homelands, where we have lived and that have sustained us for thousands of years, are absent of people, as if we do not exist—is, at best, mistaken and, at worst, insulting.

Comment 136805.012
Sean Parnell, Governor
State of Alaska

The draft Plan contains many broad all-encompassing statements that imply the Service will manage the entire refuge for opportunities typically identified with designated wilderness. In addition, certain portions of the draft Plan are written as if the Service expects the entire refuge will be recommended and designated as wilderness. The State has brought this issue to the Service's attention multiple times and is concerned that the confusing and inflammatory language remains in the draft Plan. This pre-decisional intent violates NEPA.

For example, the following draft permit stipulation found in most all compatibility determinations (Appendix G) states:

The preeminent value of the Arctic Refuge lies in its wilderness character. The permit holder shall ensure that all employees and clients seek to minimize the effect of their activities on the wilderness character of the land, wildlife, and the unique experience available here.

And Goal Five on Page 1-24 states:

The Refuge provides a place for wildlife-dependent and wilderness-associated recreational activities that emphasize adventure, independence, self-reliance, exploration, and solitude while protecting the biological and physical environments. [Emphasis added]

First and foremost, the purposes of the Wilderness Act only apply to areas designated by Congress – they do not apply to an area that has been reviewed or recommended for wilderness designation.

Furthermore, once designated, the purposes of the Wilderness Act are .within and supplemental to the purposes for which... units... of the wildlife refuge systems are established and administered..

(16 U.S.C. Section 1133(a)) Considering wilderness is not an explicit ANILCA purpose of the Refuge, we question how .wilderness character. – a specific term-of-art from the Wilderness Act – can be the .preeminent. value of the entire Refuge or how wilderness-associated recreation can rise to the same level as wildlife-dependent recreation, a statutory priority public use.

This philosophical rhetoric is unprecedented in any federal planning document we have seen to date. Including such language only serves to confuse the reader regarding legitimate Congressional direction and further polarizes the public on important issues, such as responsible resource development, allowed priority public uses of public land, and wilderness designation. The Service must ensure the final Plan appropriately delineates between congressionally designated wilderness and other areas that may contain wilderness values. Failing to do so violates the express admonishment in the Wilderness Act that .no Federal lands shall be designated as =wilderness areas‘ except as provided for in this Act or by a subsequent Act. (16 U.S.C. § 1131(a)), and abrogates Congressional will as directed through the Refuge Administration Act, as amended, ANILCA, and NEPA. Other examples are noted in the page-specific comments below; however, this should not be considered an exhaustive list.

Comment 136805.113

**Sean Parnell, Governor
State of Alaska**

Page 4-14, § 4.1.3.5 Wilderness Values, Opportunities for Solitude or Primitive and Unconfined Recreation. It is unclear how the Refuge concluded .Wilderness solitude is a state of mind..... This is a prime example of subjective and effusive terminology, which is inappropriate in a planning document.

Comment 136803.004

**Lisa Murkowski, Senator, Alaska
US Senate**

Even absent these considerations of proper roles of the branches of government, the idea of Wilderness or WSR designation within the 1002 Area makes no sense given the area’s characteristics. Section 2(c) of the Wilderness Act of 1954 stipulates that wilderness is “an area where the earth and community of life are untrammelled by man, where man himself is a visitor who does not remain.”

Neither attribute applies to the 1002 Area. In terms of whether humans visit or remain, the CCP itself concedes that 9,978 acres plus an additional 29,160 acres are not suitable for Wilderness designation due to their continuing and foreseeable occupation by humans and motorized vehicles.⁴

Indeed, the 1002 Area is the permanent home of hundreds of permanent residents – not “visitors” but, in reality, Native Alaskans whose families have lived and subsisted on this land for many thousands of years. Furthermore, Chapter 2 of the CCP identifies a highly commercialized set of purposes for the Refuge generally, including commercial air transport services, commercial hunting, commercial audio and video recording, and scientific research (all presumably using modern instruments and technology from communication devices to computers and global positioning systems.) None of these activities qualify as “primitive recreation,” even if the opportunity exists for it.

The common occurrence of motorized vehicles, boats, and aircraft within the 1002 Area, for either commercial, recreational, or subsistence purposes is entirely at odds with recommendation for Wilderness Designation. It should also be noted that the harvest of logs for house-building and non-subsistence fur trapping are, by definition, inconsistent with an area “untrammelled by man.” Finally, it cannot be ignored that, according to FWS, “As a result of the 1984-85 seismic exploration, known as 2-D (two-dimensional) seismic, 1250 miles of trails - made by drill, vibrator and recording vehicles - crossed the coastal plain tundra. Additional trails were created by D-7 Caterpillar tractors that pulled ski-mounted trailer-trains between work camps.”⁵ These seismic trails covered the entire 1002 Area, crossing every river multiple times and reaching into the nearshore tidal areas. This activity occurred in addition, of course, to the exploratory oil and gas drilling which Chevron conducted at the noted KIC-1 well – and the array of impacts and equipment that accompanies such activity. The land within the 1002 area is not, in any sense, “untrammelled by man.” It is subject to thousands of years of permanent occupation by man and an increasing, not decreasing, exposure to modern technology.

Comment 032628.016
Fran Mauer, Alaska Chapter
Wilderness Watch

Page 5-19 In discussion of effects of Alternative A, the text inappropriately claims that by allowing the quality of wilderness opportunities to degrade on the Kongakut (which is the current situation) that the “freedom and unconfined recreation... may balance the degradation.” The Draft CCP fails to indicate that the Service is legally bound to preserve wilderness character (Section 4(b) of the Wilderness Act) for such designated areas as the Kongakut. The Service does not have the freedom to “balance degradation” by allowing excessive levels of public use in Wilderness.

Comment 000017.001
Wilderness Watch - Full

-----Preamble/Intro-----

Visitor Use Impacts and issues - During the scoping process, the public identified many actions that are needed to protect wilderness qualities and experiences, but almost all were deferred to some future planning process. The Refuge’s 1988 CCP also committed the agency to address visitor use issues in future plans, but none were ever begun.

Significant visitor use impacts that should be addressed now in this plan include:

-----Comment-----

- Restoring wilderness character: Since 1980, when Wilderness was designated in the Refuge, public use has grown and concentrated along certain river corridors resulting in degraded wilderness conditions. The plan must include measures that restore the wilderness character to that which existed at the time of designation.

Comment 000016.001
Wilderness Watch - Partial

Restoring wilderness character: Since 1980, when Wilderness was designated in the Refuge, public use has grown and concentrated along certain river corridors resulting in degraded wilderness conditions. The plan must include measures that restore the wilderness character to that which existed at the time of designation.

3.51.3 Effects of Alternatives

Comment 136805.021
Sean Parnell, Governor
State of Alaska

The draft Plan's analysis of the impacts of any wilderness designation is superficial, at best. Wilderness designations affect the fish and wildlife management tools and techniques available to the State in carrying out its trust responsibility with respect to these resources, yet the Plan fails to adequately analyze these impacts. Additionally, the economic impacts of a wilderness designation are addressed in a similarly fleeting, superficial manner. See, e.g., 5-93 .Wilderness designation could have a negative, long-term, local effect on economic development by restricting potential for oil and gas exploration and development in the 1002 area.. The effect would not be limited to .local. interests. Preventing oil and gas development in the 1002 Area would have long-term consequences both statewide and nationally.

The analysis of potential oil and gas development activities is essential to any comprehensive planning effort for the Refuge, and should be included in an alternative in the CCP/EIS. Alaska is familiar with the duties and responsibilities of resource development that provides for effective protection of fish and wildlife resources, subsistence activities, water quality, and traditional access.

Comment 136805.135
Sean Parnell, Governor
State of Alaska

Page 5-25, Mammal Populations and Diversity, Wilderness. We question the statement that wilderness designationhas a more permanent and stringent commitment to protect mammal populations and habitats.. The Service is mandated to maintain fish and wildlife in their natural diversity. This direction comes from ANILCA, not the Wilderness Act. We request the Service identify and specifically cite the basis for this statement in law or remove it from the analysis in this section and elsewhere in the Plan where similar statements are made.

Comment 136805.137
Sean Parnell, Governor
State of Alaska

Page 5-42, Public Health and Safety, Wilderness. In addition to emergency response, many factors contribute to overall public safety on a refuge; including using bear resistant food containers, providing the public shelter cabins and installing stream crossing infrastructure. Given the draft Plan's overall hands-off management approach, these items would not likely occur in designated wilderness. We therefore question this over-simplistic analysis of the effects of a wilderness designation on public safety.

Comment 032627.026
Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations

On Page 5-29 (near the bottom): The claim is made that in designated wilderness: “More invasive research methods would be limited or minimized.” The Final CCP should clearly affirm that invasive research methods are incompatible with Wilderness and will not be authorized.

Comment 032628.017
Fran Mauer, Alaska Chapter
Wilderness Watch

Page 5-29 (near the bottom) The claim is made that in designated wilderness: “More invasive research methods would be limited or minimized.” The Final CCP should clearly affirm that invasive research methods are incompatible with Wilderness and will not be authorized.

3.51.4 General

Comment 136805.146
Sean Parnell, Governor
State of Alaska

Page H-2, § H.1 Introduction. The wilderness reviews in the Refuge violates section 1326(b) of ANILCA. The Service acknowledges that “[t]he purpose of a wilderness review is to identify and recommend to Congress lands and waters of the National Wildlife Refuge System (NWRS) that merit inclusion in the National Wilderness Preservation System (NWPS)..

Comment 136805.147
Sean Parnell, Governor
State of Alaska

Page H-2, § H.1 Introduction, first sentence. Service policy does not trump the statutory prohibition in ANILCA against further wilderness reviews in Alaska. Furthermore, 610 FW 4, section 4.2 states that “[w]ilderness reviews are not required for refuges in Alaska..

Comment 032650.002
Scott Eickholt

I feel we should take the time to determine what should be forever protected and what should be appropriated for development. There may be rivers that have an obvious need to be designated Wild and Scenic, there may be areas that should be designated as Wilderness. Why are we rushing toward either of these if the impact is so low or maybe nonexistent in many cases? If there are only a few hundred people at best visiting a place with eight (8) million acres of land designated, is that enough to justify designating anything. We both can agree that if that were thousands or tens of thousands then sure, designation would be imminent.

3.51.5 Unacceptable Uses / Activities

Comment 136794.004
Bill Iverson, President
Alaska Outdoor Council

There is no Alternative in the current draft ANWR CCP/EIS for responsible outdoors people who recreate in the Refuge to comment on. There is no option for reducing current regulations found under Wilderness designation or Minimal Management that would allow for sanitation facilities to be constructed at high use landing sites. There are no Alternatives to enhance recreational opportunities in areas other than the Kongakut or Hulahula River drainages.

3.51.6 Wilderness Review (includes Appendix H)

Comment 032629.002
David Moryc, Senior Director, River Protection Program
American Rivers

American Rivers believes that the strongest protection for rivers and their riparian lands can be achieved through a combination of wild and scenic and wilderness designations[6]. Each of these management tools provides unique but complimentary protections. When applied together the more restrictive provisions will apply[7]. A wild and scenic designation provides the critical protection of a river's attributed ORVs, water quality and water quantity. The Wild and Scenic and Wilderness Acts provide complimentary but unique protections and overlapping designations in ANWR would provide the strongest protections for both the rivers and riverside landscapes.

Comment 032675.009
Stan Leaphart, Executive Director
Citizens' Advisory Commission on Federal Areas

There is an additional error in Appendix H Previous Wilderness Reviews (pg. H-32) that appears to be the basis for the misinterpretation of the applicability of ANILCA 1004 to the 1002 Area. The following statement is incorrect:

Consideration of the 1002 Area was deferred to a separate environmental study, as required by Section 1004 of ANILCA, resulting in a document known as the Coastal Plain Resource Assessment (Clough et.al. 1987)

The Coastal Plain Resource Assessment was not conducted under the requirements of Section 1004. It was prepared under the requirements of Section 1002 (h) and provided "the basis for the Secretary of the Interior's recommendations to the Congress concerning future management of the 1002 area. " (Resource Assessment, pg. 4).

The Resource Assessment, (pg 201) also contains the following statement in response to public comments received on the draft report:

"Section 1002(h) does not require a wilderness review pursuant to the Wilderness Act. The public land order that established the Arctic National Wildlife Range recognized the wilderness values of the range, including the 1002 area. The congress recognized this again in 1980 when it passed ANILCA, as well as recognizing the possibility that large quantities of oil and gas may exist on the 1002 area. It excluded the coastal plain from the area within the Arctic Refuge that it did designate as wilderness, pending consideration of the 1002 area study and further congressional action. Nonetheless, this report/LEIS evaluates a wilderness alternative to comply with NEPA."

Comment 136749.001
Edward Rexford, Vice President
Kaktovik Tribal Council

-----Preamble/Intro-----

aktovik Village had to endure another forced relocation to this present site. The other history of Kaktovik worth mentioning is the illegal -- in my eyes, the illegal creation of the Arctic Wildlife Range created without our consent was told by a Fairbanks woman's club but I don't know if that's true. The renaming of the Arctic Range to the Arctic National Wildlife Refuge continues this pattern without our consultation. Our traditional hunting grounds, now locked into the refuge system, and some are even designated as wilderness. This action permitted our traditional hunting lands in the mountains to be parceled out to the hunting guides for the purpose of sport hunting and to compete with our subsistence hunts.

-----Comment-----

Now we are facing the same dilemma with the Fish and Wildlife Service considering these areas to be classified as wilderness. These lands in the coastal plain are not wilderness and does not qualify this designation because our ancestors lived on these lands, hunted on these lands, fished on these lands and fought battles to keep the lands to protect them for our future use and for their descendants.

There are many graves in our traditional lands and more are being found and some are eroding on the coast and have to be re-buried. So the idea of trying to make the 10-02 area into a wilderness designation is another slap in our faces because we live here, our ancestors died here and this is not a place without people.

Our corporation lands are surrounded by the 10-02 area and that would impede our peoples' God-given right to use our lands as we see fit and for the economic benefit we could achieve for our shareholders.

Comment 136805.015
Sean Parnell, Governor
State of Alaska

while we maintain that the State's management authority for fish and wildlife is unaffected by any provision of the Wilderness Act or ANILCA, (see Section 1314 of ANILCA, which states that ""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...") the on-the-ground effects may significantly hamper the State's ability to conduct management actions. The Service recognizes this fact. For example, pages 5-41 and 5-45 state, respectively,

[Aminimum requirements analysis] would be required on all new activities, and helicopter access would be more closely scrutinized and minimized. More invasive research methods would be limited or minimized. Additionally, wilderness areas are protected... to varying degrees... [from] helicopters and installations.

Administrative activities in wilderness must be found to be the minimum requirements for the administration of the area as wilderness.... This is interpreted to include collection of data required for conservation of fish, wildlife, and habitats in the designated area. Wilderness designation would preclude some technologies and installations... that may not have direct applicability to management of the wilderness area itself.

The State maintains its objection to wilderness reviews and any subsequent recommendations, in part because additional wilderness designations would significantly and negatively affect the

Department of Fish and Game's ability to fulfill its constitutional mandates regarding fish and wildlife conservation and management.

Comment 136805.148
Sean Parnell, Governor
State of Alaska

Page H-5 through H-12, § H.2 Inventory Phase. The wilderness characteristic inventories lack details and specificity regarding the attributes of each WSA that meet the Wilderness Act criteria. The inventories consist of generalities and conclusory statements concerning the geographic and biological characteristics of the areas, but lack specific data and examples. For example, the statement on page H-11 states .This WSA is the most biologically productive part of the Refuge.. Additionally, nothing in the inventories demonstrates that, given the existence of extensive lands set aside for wilderness and other preservation purposes in Alaska, the WSAs identified are unique.

Comment 136805.151
Sean Parnell, Governor
State of Alaska

Page H-16, § H.3.1.1; and Page H-21, § H.3.2.1 Achieving Refuge Purposes. The .Achieving Refuge Purposes. section is seriously flawed as the Western Brooks Range and the Porcupine Plateau areas were not part of the original Range and the original Range purposes do not apply; yet they have been evaluated for consistency with the original Range purposes of wildlife, wilderness, and recreational values.

Comment 136805.152
Sean Parnell, Governor
State of Alaska

Page H-18, § H.3.1.2; Page H-23, § H.3.2.2; and Page H-28, § H.3.3.2 Achieving the Refuge System Mission. We question the Plan's assumption that wilderness designations would help achieve the Refuge System mission as it is based on the idea that the Arctic Refuge has a special, .distinctive role in the Refuge System,. which has been arbitrarily assigned and, as such, is not the express will of Congress.

Comment 136805.153
Sean Parnell, Governor
State of Alaska

Page H-29, § H.3.3.6 Evaluation of Manageability for the Coastal Plain Wilderness Study Area. In the second paragraph the USFWS states that it owns 94 percent of the Coastal Plain WSA. We recommend instead stating the Service .manages. these lands.

The above comment also applies to the following pages and sections in the draft Plan: Page H-20, beginning of the second paragraph, under the H.3.1.6 heading: ""The Service owns over 98 percent of the Brooks Range WSA."" Page H-24, beginning of the last paragraph: ""The Service owns over 99 percent of the Porcupine Plateau WSA."" Page Suit-28, last sentence of the third paragraph: ""...the Service owns all lands including submerged lands, within the boundary of PLO 2214."" Page Suit-43, fourth paragraph: ""Service management and ownership exceptions apply to the 16 native

allotments..." Page Suit-51, second to last sentence of the last paragraph: "...the Service owns the lands and submerged lands along the remaining 91.2 river miles." Page Suit-59, last sentence of the fifth paragraph: "...the Service owns the lands and submerged lands along the remaining 74.8 river miles." Page Suit-75, second to last sentence of the third paragraph: "...the Service owns the lands and submerged lands along the remaining 66.2 river miles." Page Suit-83, second sentence of the last paragraph: "Title to the submerged lands beneath Neruokpuk Lake is complex and is apportioned between the Service and three patented allotments."

Comment 136805.155
Sean Parnell, Governor
State of Alaska

Page H-32, § H.5 Appendix: Previous Wilderness Reviews. The Coastal Plain Resource Assessment of 1987 was required by Section 1002(h) of ANILCA, and not Section 1004 as it is stated in the third paragraph of this section. Section 1004's wilderness review requirement only applies to those lands described in Section 1001. See general comment.

Comment 136805.149
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page H-5 through H-12, § H.2 Inventory Phase.

-----Comment-----

the inventory identifies, but fails to evaluate, the impact that future activities on major inholdings by ANCSA regional corporations may have on the wilderness characteristics of the area. For example, see page H-6 where two Doyon Limited inholdings, containing 81,120 acres of conveyed land and 4,103 acres of selected land are identified without further evaluation.

Comment 136805.150
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page H-5 through H-12, § H.2 Inventory Phase.

-----Comment-----

Section H.2 states .The Wilderness Act specifies that a wilderness may also contain ecological, geological, or other...value. While the qualification of a WSA does not depend on the existence of such supplemental values, their presence is considered in deciding whether or not a qualified WSA should be recommended for wilderness designation.. ANILCA Section 304(g)(2)(B) also requires the Refuge to identify and describe special values. This would include the Refuge's natural subsurface oil and gas resource values, which were not evaluated in any phase of this review.

Comment 136805.154
Sean Parnell, Governor
State of Alaska

-----Preamble/Intro-----

Page H-29, § H.3.3.6 Evaluation of Manageability for the Coastal Plain Wilderness Study Area.

-----Comment-----

the third paragraph states that there are ""...no known external threats that would affect the area's manageability as wilderness..." On the contrary, there are currently three Congressional bills pending which would allow oil and gas exploration and development to occur within the 1002 area of the Refuge coastal plain, rendering that area incompatible with a wilderness management regime.

Comment 136803.001
Lisa Murkowski, Senator, Alaska
US Senate

1. There is neither need nor justification for additional designations of Wilderness or WSRs in Alaska. Eight million of the 19 million acres in the Arctic Refuge are already designated Wilderness. In addition, three rivers (Sheenjek, Wind, and Ivishak) are already designated Wild and Scenic Rivers and two areas of the refuge are designated Research Natural Areas. According to the FWS, as many as 1,500 persons might visit ANWR in an average year. They visit both wilderness and non-wilderness portions, including the Brooks Range, Kaktovik, Saderlochit, and other areas of the Coastal Plain. For purposes of ANWR Wilderness areas alone, this equates to over 5,000 acres for each yearly visitor. The designation of another 1.5 million acres of Wilderness, for instance, would simply equate to 6,000 acres to each yearly visitor. This would not result in any measurable difference in visitor experience; indeed absent information of the varied legal designation the experience would be indistinguishable. There is no demonstration or evidence that the existing acreage of designated wilderness in the Arctic is somehow failing to provide sufficient levels of opportunity for solitude, primitive and unconfined type of recreation, or challenge. The opposite is true since, according to FWS, overall commercial visitorship has declined substantially from 2005 through 2009 (the last year of data), from 1128 to 852 – an approximate 25% decrease. 1 For purposes of WSR interests, the decline is even more significant, with “river floaters” decreasing every single year from 2005 through 2009, from 522 users to 310 – nearly a 40% decrease.2 These trends have emerged notwithstanding a growing population and the undeniable prominence of both Wilderness values in general and ANWR itself in media and education – especially subsequent to highly visible debates over ANWR in the US Congress in 2005. No genuine need, justification, or demand exists for additional Wilderness or WSR units in or around ANWR.

Comment 032628.001
Fran Mauer, Alaska Chapter
Wilderness Watch

We urge that the Final CCP include a recommendation that all of the non-designated lands of the Arctic Refuge that were found to be suitable in the Wilderness Review, be designated as Wilderness.

Comment 032676.001
Mike Matz

Issue I-Should one or more areas of the Arctic Refuge be recommended for Wilderness designations?

The maximum amount of acreage found to be eligible for wilderness designation should be recommended in the final plan to Congress, consistent with one overriding consideration, and that preeminent consideration is that the Coastal Plain WSA absolutely must be recommended for inclusion in the National Wilderness Preservation System, based on the analysis in the inventory and the scientific finding in the draft plan and its Appendix H that the Coastal Plain WSA "is the most biologically productive part of the Refuge and contains important habitats for a great diversity and abundance of life." [Appendix H, Section 2.3] With this finding, the U.S. Fish and Wildlife Service is finally rendering the proper factual case that the highest and best use of the coastal plain is to leave it as it is.

Comment 032626.063
Greg Warren

V2, H Interim Management Prescriptions: I was expecting to see interim management prescriptions for Suitable WSAs as is found for Suitable rivers. I recommend including WSA prescriptions in the final CCP assuming that the guidance will parallel the existing Wilderness direction.

Comment 032626.064
Greg Warren

V2, H-8, H.2.2.1 Wilderness Criteria: Suggest that the Refuge remove the tractor-trailers and other nonconforming debris regardless of the alternative selected.

3.52 TOPIC: Wildlife

3.52.1 Hunting

Comment 136795.004

**David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection**

REP also believes that big game/trophy hunting for sport (as opposed to subsistence), which typically involves commercial services, is inconsistent with the Refuge purpose and the management goals stated in the CCP. Any hunting allowed in the Refuge should be carefully monitored and undertaken to the highest standard of sportsmanship. Fair-chase principles must be required and the spotting of game from airplanes should be prohibited,

Comment 136822.008

**Wade Willis
Science Now Project**

The USFWS has not published any data regarding the potential concentrated harvest rates of wildlife in high access drainages, denning areas, feeding sites or migration corridors.

Comment 136729.001

Unnamed 67

Could possibly use Red Sheep Creek exclusive hunting area model and apply it to Kaktovik

Comment 136731.001

Unnamed 69

The local people already have their own game management system in place (such as knowing not to kill all the caribou in a group?) and non-local people who come to the village need to learn and know about that management system so their hunting doesn't conflict with the hunting practices of the local people

Comment 136900.001

Unnamed 9

What if Red Sheep Creek was closed – would it reduce hunters?

Comment 136921.004

Bob Brister

Hunting should be banned from ANWR.

Comment 136793.002
Tim Hogan

While I appreciate the Refuge biologists' views that all hunting could have an effect on the population structure and genetic diversity of animal populations on the Refuge, concerns remain that trophy hunting is likely to be having a deleterious impact and should be addressed in the current draft Plan/EIS. Research, inventory, and monitoring are essential, but as a precautionary step it is important to mitigate potentially harmful impacts in the meantime. Again, when in conflict with goals of the Alaskan Department of Fish and Game, Refuge purposes should prevail and FWS must use its authority to preempt ADFG.

Comment 136807.006
Duane Howe

-----Preamble/Intro-----

Following are my comments of the Arctic National Wildlife Refuge CCP:

-----Comment-----

17 Trophy hunting of Dall Sheep should be limited only to rams designated by biologists.

3.52.2 Hunting Effects

Comment 032644.001
Wade Willis
Science Now Project

Issue:

The Step Down Planning Process Proposed in Section 6.3.6 Does Not Meet Federal NEPA Compliance Mandates Regarding Commercial Guided Sport Hunting Activities in the Refuge.

Trophy hunting is authorized in part within the Arctic Refuge under the Alaska National Interest Lands Conservation Act (ANILCA Section 1314). Yet, ANILCA does not mandate how the USFWS should implement that activity in the Arctic Refuge. This is a policy decision. And effective long term policy has long been recognized to require the public to be engaged in a meaningful and transparent fashion; hence the term Public Policy and the Congressional intent found in NEPA to ensure that Arctic Refuge management decisions are made in a transparent fashion, incorporate the concerns and preferences of the public, and result in best management decision for protecting the long term best interests of the citizens of America.

The Arctic Refuge does not have the legal authority of continuing to authorize a commercial activity that may significantly affect the quality of the human environment with no current or historical NEPA compliance review while simultaneously, by administrative decision, determining that the very activity of commercial trophy hunting presents such a high potential for significant impact to the management mandates of the refuge that the activity must be restricted which resulted in US citizens being denied access to the refuge.[1] The administrative decisions that have already been made restrict transparency and inappropriately avoid Sec. 102 (C) [42 USC § 4332] of NEPA.

Congress specifically adopted the National Environmental Policy Act to avoid this type of closed door, non transparent, decision making process.

Recommendation:

Include a thorough NEPA impact assessment of historic, current, and proposed commercially guided sport hunting harvest "opportunity" in the refuge as a component of the Arctic Refuges CCP revision's environmental impact statement (EIS).

Fully analyze the potential for significant negative impact occurring from the for profit consumptive take of wildlife, identify alternatives to mitigating identified potential negative impacts to refuge management mandates, and fairly and equitably distribute mitigation efforts among all user groups contributing to the identified problem.

Comment 032644.008
Wade Willis
Science Now Project

Commercial guided sport hunting harvest parameters are biased in comparison to non guided harvest parameters.

Guided sport hunters exploit a higher percentage of male bears and a higher percentage of the largest brown bears and Dall sheep in a given population (ADF&G Published Data). Analysis of this bias in relationship to future management decisions should be considered.

In addition, success rates for guided hunters are much higher than non guided hunters.

Comment 032644.004
Wade Willis
Science Now Project

-----Preamble/Intro-----

Potential for Significant Negative Impact

1. Currently, neither the State of Alaska, via the Board of Game, nor the Arctic Refuge sets a limit on the total number of residents that can obtain a state issued brown bear or Dall sheep harvest ticket for lands managed by the Arctic Refuge.

The only harvest opportunity controlled by the USFWS is nonresident and nonresident alien harvest opportunity and then for only two species of big game, Dall sheep and brown bears.

Currently, the state authorizes and unlimited harvest opportunity (harvest ticket) per regulatory year for residents to harvest (take) both Dan sheep and brown bears. Resident harvest rates for these two species cannot be predicted prior to the season and in season management options are not sufficient to identify unsustainable harvest rates during anyone regulatory year. [6]

2. Targeted Harvest of Wildlife May Significantly Impact Natural Population Composition and Dynamics.

The harvest of brown bears and Dan sheep is a targeted harvest of a specific sex or age cohort of the population. For Dan sheep, mature rams with full curl horns are required for legal harvest. For brown bears, hunter preference is clearly proven to be the largest, or the most unique color phase, of brown bears. In addition, brown bear harvest is further concentrated to large males by state harvest regulations protecting large female bears with cubs.

This targeted harvest presents a significant potential impact to the natural population dynamics of these two species. Arctic Refuge goal number one, found in Section 2.1.1 of the draft CCP states: "All management programs will recognize the Refuge's unique role as a benchmark for biological integrity, diversity, and environmental health in the National Wildlife Refuge System, and will protect and maintain this function in all management activities."

"Refuge managers must weigh all the factors identified by establishing purposes, laws, policy, and science when considering whether proposed activities support or detract from the refuge's biological integrity, diversity, and environmental health. We favor the least intensive approaches wherever possible."

"No landscape retains absolute biological integrity, diversity, and environmental health. However, Arctic Refuge is widely recognized as anchoring the intact and natural end of the spectrum of ecological and environmental conditions in the Refuge System."

-----Comment-----

3. The "Least Intensive Approach" must be identified through a formal NEPA evaluation process, and in the case of commercial sport hunting, must be identified prior to authorizing the activity.

The restriction of public access to the Arctic Refuge should warrant the highest level of review by the USFWS.

This administrative decision by the current Arctic Refuge manager supports our assertion that perceived negative impacts resulting from the for profit consumptive take of wildlife in the refuge have already reached unacceptable proportions in specific areas of the refuge.

The potential cumulative negative impacts resulting from a targeted harvest of wildlife in the refuge are poorly understood at this time and represent a substantial long term risk to the natural integrity of the ecosystem as a whole.

This is especially evident when the targeted harvest is occurring for one of the Arctic Refuge's apex predators, the brown bear. Artificially manipulating the natural population size or composition of this species may have multi dimensional repercussions at a landscape level.[7]

The situation concerning brown bears is further compounded by the state of Alaska authorizing unsustainable brown bear harvest opportunity on state lands adjacent to the north western border of the Arctic Refuge in an effort to artificially reduce the brown bear population. [8] This state effort could easily harvest brown bears that inhabit the Arctic Refuge during their natural yearly migration cycles.[9]

Comment 032644.006

Wade Willis

Science Now Project

-----Preamble/Intro-----

Potential negative impacts to federally qualified rural subsistence harvest opportunity from commercial guided sport hunting activities has not been evaluated in the draft CCP EIS. [see footnote 1]

-----Comment-----

the Arctic Refuge is required to evaluate the effects of non local harvest effort on subsistence harvest opportunity, especially regarding concentrated hunting effort in areas with greater ease of access or associated with traditional harvest areas of local hunters.

The most recent Dall sheep harvest data indicates total harvest in GMU 26C rose from 125 sheep in RY 96 to 171 sheep in RY 05, a 37% increase in one decade.

The most recent Dall sheep harvest data (post 2007) is unpublished by the state and the draft CCP provides no species specific harvest data for the Arctic Refuge which clearly handicaps the public's ability to effectively evaluate and participate in the CCP revision process.

Comment 136763.001
Unnamed 4

Wright's air loads up on outside hunters. The meat should be kept in the village.

Comment 136919.002
Lolly Andrews

Trophy hunting and its effects on genetics should be included as an issue to be addressed for this reason.

Comment 222173.002
Jack Reakoff

The Section on Recreational hunting needs to be clear regarding ANILCA mandated management for healthy populations of fish and wildlife by the Arctic National Wildlife Refuge Manager and staff. Provision for over site, and monitoring of State general hunting management plans, and harvest of fish and wildlife species needs to be stated in the CCP. USFWS-ANWR needs scientifically valid fish and wildlife management plans in place to track State regulated harvest that may be outside of recognized scientific principles.

Current issue:

Congressional intent for ANILCA management of fish and wildlife in accordance with recognized scientific principles and the purposes for each conservation unit's establishment, and other Federal lands, is not being accomplished.

ANILCA, Title VIII requires the Federal land managers to adhere fish and wildlife management consistent with sound management principles, and the conservation of healthy populations of fish and wildlife in accordance with recognized scientific principles and the purposes for each unit established. The Federal managers shall scientifically delineate and maintain healthy populations. If the State of Alaska management Boards actions jeopardize a fish or wildlife population health, Federal managers shall preempt State regulations to assure population health in accordance with ANILCA to protect subsistence uses.

In many instances, fish and wildlife resources are harvested at maximum, or exceeding maximum under State regulations, mainly by non-subsistence users, in a manner inconsistent with ANILCA mandated recognized scientific principles of

fish and wildlife management. There is an ever-growing demand by non-subsistence users for limited resources.

Ungulate resources in many areas of Alaska are harvested under State of Alaska regulations beyond recognized biological parameters. Over use of the males in the harvest causes reproductive failure (late born calves, lower survivorship to adult hood, and population declines). These practices deplete the healthy breeding structure and cull larger phenotypic animals. Herds are threatened and usually decline. There are many ungulate populations in Alaska that are in this condition, especially moose, caribou, and Dall sheep. Subsistence and other users are then restricted from harvesting customary resources, so that populations can be rebuilt to healthy levels.

Congress Stated this scenario in ANILCA TITLE VIII-SEC 801 (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” (emphasis added).

Congress mandated that the Federal managers adhere to sound management according to recognized scientific principles; SEC 802. It is hereby declared to be the policy of Congress that—(l) 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; (emphasis added).

Federal agencies are held to the specific standard of fish and wildlife management as mandated in ANILCA. Therefore, Federal fish and wildlife management must maintain healthy populations, a variety of genetics, representation of healthy age structure, and healthy sex ratios. State management typically maximizes harvest of most of the older males, skewing the ratio to very few young males and smaller phenotypes. This is nether healthy or natural. In many instances, in recent State of Alaska management history, the male to female ratios were depleted far below recognized scientific principles and herd viability was seriously compromised.

The State of Alaska and Federal agencies have very different wildlife management objectives. The State manages for “maximum yield” (Alaska’s Constitution requires the State to manage replenishable resources for “sustained yield,” but instead the State manages for “maximum yield”) and does not recognize local rural subsistence uses. Federal agencies are supposed to manage for “healthy populations and continued subsistence uses,” though currently the Federal management objectives, if any, are not always achieved.

The Alaska Board of Game does not always choose to adhere to recognized scientific principles. ANILCA requires the Federal managers to be proactive in

assuring healthy populations of fish and wildlife. Currently, Federal managers are not “managing,” until there is a problem. Reacting to over harvested populations caused by State management regulations is not achieving ANILCA mandates or the intent of Congress. Federal wildlife management does not begin once populations are put into crisis by overharvest caused by State regulations, but before.

If the State Board of Game chooses to manage wildlife with out regard to recognized healthy principles (sustained yield), it is incumbent upon the Federal Management System to preempt State regulations that threaten populations and their subsistence uses. Managing species using healthy population compositions and minimum population threshold objectives does not threaten the State’s mandate for sustained yield; it complements it. Federal and State management systems both have to take a healthy stance managing Alaska’s fish and wildlife and agree upon the statutory mandates that are required.

The USFWS Arctic National Wildlife Refuge, as well as all other Federal Agencies, needs to take a proactive stance in management on the Federal public lands. If the State regulatory process chooses to violate scientific harvest of fish and wildlife populations, Federal managers, and the Federal Subsistence Board is required by ANILCA to use preemptive closures.

It is incumbent upon the USFWS-Arctic National Wildlife Refuge to recognized the ANILCA mandates for fish and wildlife management in this CCP, and initiate management planning for healthy populations, and survey of populations for health monitoring.

Comment 136998.002
Thor Stacey

I would like to see the refuge liaison (fund) ADF&G and/or federal researchers to ascertain the impacts (genetic, herd fecundancy, predation resilience, range utilization etc.) of full curl harvest of Dall Sheep rams and to help quantify the value of adult males (6+ years in caribou, 8 +years in sheep) in Dall Sheep and Barren Ground Caribou populations. It is my belief that current game managers do not place an adequate biological value on maintaining adult males in ungulate populations after the hunting season. This is a cutting edge study and very important information to help the refuge maintain its mandate for natural ecological diversity.

Comment 136934.001
Phyllis Mains

Refuge is not adequately patrolled to prevent poaching and habitat destruction and all Alaskans can hunt at will in the Refuge .This bothers me.

3.52.3 Predator Control

Comment 136980.003
Gail Mayo, President
Arctic Audubon

In the Management section under the topic of State and Federal game management the plan should firmly state that predator control will not be considered on any ANWR lands. We have noticed that in other sections of the plan there are clear statements of prohibited activities, eg., use of off-road vehicles or public use of helicopters is NOT ALLOWED. This same clear statement should be included in the final CCP: Predator control will NOT BE ALLOWED.

Comment 000025.001
Care2

The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

Comment 136796.001
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

Defenders recognizes the importance of the Service's objective to maintain involvement in the State of Alaska's fisheries, game, and federal subsistence boards processes.[17] We encourage cooperation where suitable; however, we are concerned over the Alaska Board of Game's (BOG) tendency to institute regulatory changes that are in direct conflict with Refuge System mandates and federal law. Under such circumstances, we do not feel that cooperation is either legal or appropriate.

In particular, the State of Alaska manages game populations according to the Intensive Management (IM) statute, whose sole intent is to manage game for high levels of human harvest.¹⁸ The IM statute dictates that the BOG may not decrease the harvest of a game population without also adopting regulations for intensive management actions to increase that population for human harvest. Predator control is one form of intensive management pursued by the State that is particularly controversial and can have potentially devastating effects on ecosystem function and health. Widespread manipulation of predator populations for the benefit of human harvest is inconsistent with the Service's mission and federal law, and such actions would be inappropriate and contrary to your authority for managing the Arctic Refuge.

Consistent with the Refuge's ANILCA purposes and other federal laws and policies that direct the Refuge's administration, the CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations meant to enhance game populations for human harvest. The use of predator control for this purpose should be prohibited in any form, including but not limited to aerial gunning, liberalized bag limits, or liberalized hunting and trapping periods or methods.

Comment 136796.002
Julie Kates, Refuge Associate, Federal Lands Program
Defenders of Wildlife

According to the Draft CCP, "[s]eparate refuge compatibility determinations addressing specific proposals will be required for State management activities that propose predator management, fish

and wildlife control...or any other unpermitted activity that could alter ecosystems” of refuges in Alaska.¹⁹ In addition, “[i]f determined necessary under subsection 2.4.2 (Human Safety and Management Emergencies), Service or State actions involving the killing, relocation, removal, or sterilization of wildlife for the benefit of another species would require appropriate NEPA compliance and an ANILCA Section 810 determination.”^[20] In 2009, the Alaska Department of Fish and Game (ADF&G) and BOG declared that immediate action was necessary to protect a declining caribou herd on Unimak Island because subsistence use on the island was threatened. As a result of the request by ADF&G to pursue wolf control, the Service undertook a NEPA process and ultimately determined that such action was not warranted because it was inconsistent with federal law and Service policy. Defenders asserts that the Service has the legal authority and responsibility to deny such a request outright without further administrative action when dealing with such predator control proposals on Alaska refuges in general, and the Arctic Refuge in particular. Indeed, Service policy states that “the refuge manager should deny a proposed use without determining compatibility” if, for example:

- (a) The proposed use conflicts with any applicable law or regulation (e.g., Wilderness Act, Endangered Species Act, Marine Mammal Protection Act, Migratory Bird Treaty Act);
- (b) The proposed use conflicts with any applicable executive order, or written Department of the Interior or Service policy; [or]
- (c) The proposed use conflicts with the goals or objectives in an approved refuge management plan (e.g., comprehensive conservation plan, comprehensive management plan, master plan or step-down management plan)...^[21]

Predator control actions proposed by the State of Alaska have focused on increasing game populations without consideration to the context of natural population fluctuations, the health of altered game or predator populations, and even whether predation is a major factor limiting the game population. Defenders believes that such an action would not only violate the Service’s responsibility under the National Wildlife Refuge System Improvement Act to maintain “the biological integrity, diversity, and environmental health of the System,”^[22] but would also be incompatible with the Arctic Refuge’s purpose under ANILCA “to conserve fish and wildlife populations and habitats in their natural diversity.”^[23]

In order to preclude inappropriate proposals for predator control actions by the State, we urge the Service to incorporate language into the CCP which clearly articulates that any State regulation or plan involving the use of predator control to increase ungulate abundance for human harvest would conflict with federal law and would be preempted by such law within the Refuge. By being clear with State managers that the Service will use its authority to preempt the State’s programs when such programs conflict with Refuge purposes and mandates, the Service can prevent wasting State and federal agency time and resources pursuing or defending against such actions.

Moreover, even if the Service tried to ignore its legal responsibilities and authority for the Arctic Refuge and actively considered approving such a predator control proposal, it would first have to make a compatibility determination and prepare an Environmental Impact Statement under NEPA, providing solid justification for why such an action was lawful and appropriate. Any decision by the Service to pursue predator control must be based on sound scientific data and analysis, and must comply with applicable federal laws and policies.

Comment 231554.001
Defenders of Wildlife - Email

The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

Comment 000013.001
Defenders of Wildlife - Spreadsheet

The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

Comment 000077.002
David Raskin
Friends of Alaska National Wildlife Refuges

46 Guidelines must promote the continuation of natural
47 processes and population dynamics of all species and
48 prohibit habitat and species manipulation and predator
49 control.
50

1 Coordination with the Alaska Department
2 of Fish and Game must recognize the primacy of the
3 refuges' purposes and management goals, especially with
4 regard to predator control and species manipulation.

Comment 000002.001
Friends of Alaska Wildlife Refuges

State “Game” Management vs. Refuge Stewardship — The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, it fails to acknowledge that the State’s goals for managing wildlife sometimes conflict with Refuge purposes of maintaining natural and wild wildlife populations, e.g. State-sponsored predator control and intensive management. The plan must explicitly state that when there is conflict, Refuge purposes and management must prevail. The Fish and Wildlife Service must exercise its responsibility to preempt the Alaska Department of Fish and Game and the Alaska Board of Game when necessary to protect the integrity of the Refuge and its wildlife.

Comment 136795.003
David E. Jenkins, Vice President for Government & Political Affairs
Republicans for Environmental Protection

The Draft CCP, in recognizing the need to coordinate with the Alaska Department of Fish and Game, fails to acknowledge that some state goals for managing wildlife—such as predator control and “intensive management”—clearly conflict with the Arctic Refuge’s purpose and FWS management goals. Management Goal 1 of the CCP reads:
Ecological processes shape the Refuge, and its management remains essentially free of the intent to alter the natural order, including natural population densities and dynamics, and levels of variation of native fish, wildlife, and plants.

The Final CCP must clearly indicate that when in conflict with state goals, wilderness values, Refuge purposes, and federal management goals must prevail. In such cases, the FWS must exercise its responsibility to preempt the state fish and game department and its Boards of Game and Fish.

The Final CCP must ensure that Refuge purposes will never be compromised by State decisions to authorize predator control or habitat manipulation to increase game species for hunting. We recommend that language in the Final CCP be clear that refuge purposes have supremacy over the state of Alaska's wildlife management objectives.

Comment 032627.037

**Nicole Whittington-Evans, Alaska Regional Director, TWS
Various Environmental Organizations**

The Draft CCP appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game, but it fails to acknowledge that some State goals for managing wildlife such as predator control and 'intensive management' would conflict with the Arctic Refuge's purposes for maintaining wildlife populations in their natural diversity. The Final CCP must clearly indicate that when in conflict with state goals, wilderness values and Refuge purposes must prevail. In such cases, the FWS must exercise its responsibility to preempt the state fish and game department and its Boards of Game and Fish. Also, the Final CCP must assure that the primary Refuge purpose to conserve natural diversity must not be compromised by decisions to authorize predator control or habitat manipulation to increase game species for hunting. To ensure clarity to and to dissuade any attempts by the State of Alaska to pursue IM programs on Refuge lands, the Final CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations to enhance game populations for human harvest and the use of predator control for this purpose should be prohibited in any form.

Comment 032628.027

**Fran Mauer, Alaska Chapter
Wilderness Watch**

The Draft CCP appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game, but it fails to acknowledge that some State goals for managing wildlife such as predator control and 'intensive management' would conflict with the Arctic Refuge's purpose for maintaining wildlife populations in their natural diversity. The Final CCP must clearly indicate that when in conflict with state goals, Refuge purposes and Wilderness Act purposes must prevail. In such cases, the FWS must exercise its responsibility to preempt the state fish and game department and its Boards of Game and Fish. Also, the Final CCP must assure that the primary Refuge purpose to conserve natural diversity will not be compromised by decisions to authorize predator control or habitat manipulation to increase game species for hunting. To ensure clarity to and to dissuade any attempts by the State of Alaska to pursue intensive management programs on Refuge lands, the Final CCP should explicitly preclude artificial manipulation or intensive management of wildlife populations and their habitats to enhance game populations for human harvest. The use of predator control for this purpose should be prohibited in any form.

Comment 000017.004

Wilderness Watch - Full

State "Game" Management v. Refuge Management - The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, it fails to acknowledge that the state's goals for managing wildlife (i.e. predator control, intensive management) sometimes conflict with the Refuge's purposes for maintaining natural and wild wildlife populations.

- The plan needs to explicitly state that when in conflict with the state’s goals, wilderness values and Refuge purposes must prevail, and in such cases, the FWS must exercise its responsibility to preempt the state game department and Board of Game.
- The final plan must assure that the primary Refuge purpose to conserve natural diversity must never be compromised by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 000016.004
Wilderness Watch - Partial

State “Game” Management v. Refuge Management:

- The plan needs to explicitly state that when in conflict with the state’s goals, wilderness values and Refuge purposes must prevail, and in such cases, the FWS must exercise its responsibility to preempt the state game department and Board of Game.
- The final plan must assure that the primary Refuge purpose to conserve natural diversity must never be compromised by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 136871.001
Unnamed 21

Need assistance to come up with predator control plan – need to educate youth – get them involved.

Comment 136889.001
Unnamed 38

Predator control: there are wolf packs of up to 40 animals out there, the Refuge HAS to look into predator control

Comment 136890.001
Unnamed 39

Furnish local people with traps, gas, snares to control wolves

Comment 136892.001
Unnamed 40

FWS should set predator control aside as a separate issue and decide what they are going to do about it

Comment 136921.001
Bob Brister

There should be no "control" of predators. We need large natural areas like ANWR as reference areas and to preserve the large-scale dynamics of life like caribou migrations.

Comment 136961.001
Nancy Dawley

The final plan must assure that the primary Refuge purpose to conserve natural diversity must never be compromised by predator control or hunting decisions. To this end there should be an explicit statement that Refuge purposes must prevail and the FWS must exercise its responsibility to preempt the state when decisions of the Alaska Department of Fish and Game conflict with the Refuge's purposes.

Comment 136967.001
Susan Feingold

In my experience, Alaskan State Game Management has been consistently biased in favor of human hunters. This has led to predator control and habitat manipulation. This policy is inconsistent with the objective of preserving the wilderness character of ANWR. It has been shown that the natural prey-predator interaction is favorable to keeping the both of those populations in good ecological balance. In the case that the Board of Game policies are not in keeping with the policy of natural wild population preservation, I urge the plan allow the FWS to preempt the Board of Game.

Comment 136928.001
Vivia Finlay

We would like to see that the Refuge management should over-rule the State's Board of Game management when it comes to things like predator control - that should not be allowed in the refuge.

Comment 032637.002
Peter Fontaine

-----Preamble/Intro-----

Additionally, the plan must include:

-----Comment-----

There must be a prohibition against any program of predator control, which destroys the balance of ecosystems, as we have seen in the lower 48

Comment 032661.003
James Gideon

I had reviewed the report and I'm most interested on the result of my comment on pretater control, mainly wolf.-upon reviewing I find that the majority of public testimony was strongly object to State of Alaska practice of pretater control of wolves and bear.-And I wholeheartedly agree with that position.

In my testimony I stated out a alternative method could be utilized. Which is local community input. Because at some point future Wildlife Refuge Dept will need to look or study the method of how these predator contol can be implement in such a way local residents could be utilized to minimized the threat of wolves/bear to caribou herd.

Local trappers and elders Knowledge can be better use in the activity.

As being Arctic village resident I have seen and report of wolves follow with caribou herd both summer and winter feeding area.

Our hunters spots 20-40 wolves during winter hunting and around the village.-this number will increase in future years so I recommend Refuge manager to propose stand alone issue to deal with it, through public hearing or comment.

Comment 136793.001
Tim Hogan

I am particularly disturbed by the extent to which predator control, primarily of gray wolves, is practiced by the Alaskan Department of Fish and Game. While wilderness designation would not absolutely preclude such actions as a management emergency for subsistence species, stronger justification would be necessary in designated wilderness. Again, as our country's premier refuge for wild nature, the killing of one species to benefit another is fraught with ethical questions and contradictions. When in conflict with goals of the Alaskan Department of Fish and Game, Refuge purposes should prevail and FWS should use its authority to overrule ADFG. (I am not opposed to hunting in principle; if I had been brought up in a different environment I might have become an avid hunter.)

Comment 136906.001
Gideon James

Main concern is predator control right now, does not want the State Fish and Game to come in and do predator control with helicopters or aircraft. Objects to aerial predator control tactics. Wants local people to do the wolf control, harvests themselves by traditional trapping and hunting techniques. If State wants to help they should only do so by supplying fuel or traps. Wolves help make the system healthy: wolf kills help-benefit many other animals (smaller animals and scavengers) and tend to take less healthy animals from the natural system.

Comment 136906.003
Gideon James

-----Preamble/Intro-----

Want predator control of wolves, but does not want the State of Alaska to do the predator control, wants local people to be involved and conduct the control.

-----Comment-----

Wants a local hearing to discuss and make a plan for the control effort.

Comment 009544.001
Frank Keim

I feel it's really important that we assure, first, that the most important purpose of the refuge is to conserve the natural diversity of the area and this purpose should never be compromised by any consideration to allow predator control or habitat manipulation to increase game species for human harvest. The plan needs to assure that when

in conflict with the State of Alaska the above refuge purposes are paramount.

Comment 032622.001
Frank & Jennifer Keim

The most important purpose of the Refuge is to conserve the natural diversity of the area and this purpose should never be compromised by any consideration to allow predator control or habitat manipulation to increase game species for human harvest. The plan needs to assure that when in conflict with the State of Alaska, the above Refuge purposes are paramount.

Comment 009545.001
Andrew Keller

The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game; however, the plan fails to acknowledge that the state's goals for managing wildlife often include intensive management, such as predator control, which sometimes conflicts with the refuge's purposes for maintaining natural and wildlife populations.

The final plan must state that the primary refuge purpose to conserve natural diversity must never be compromised by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 136797.001
Andrew M. Keller

I support Management Guidelines 2.4.11, and 2.4.12, allowing the natural behavior, interactions, and population dynamics of all species to continue and leaving habitats natural, unaltered, and not manipulated. The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, the plan fails to acknowledge that the state's goals for managing wildlife often include intensive management such as predator control, which sometimes conflicts with the Refuge's purposes for maintaining natural and wild wildlife populations. The plan needs to specifically state that when in conflict with the state's goals, wilderness values and Refuge purposes must prevail. The final plan must state that the primary Refuge purpose to conserve natural diversity must never be compromised by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 136974.003
Don Kiely

One disturbing statement in the CCP is in Appendix B, section 1.1, that ADFG and FWS "share a mutual concern for all fish and wildlife resources..." That is decidedly untrue! The State is into predator control, killing wildlife from aircraft and other measures that interfere with natural wildlife processes and ebb and flow of populations. I urge you to make a much stronger statement that although you work with ADFG for wildlife management, FWS policies will dominate in the Refuge.

Comment 136933.001
Reynard Loki

also strongly support new management guideline number 2, which allows all native wildlife populations to remain un-manipulated. I strongly oppose any State requests to conduct predator control in the Arctic Refuge. The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

Comment 009556.005
John Lyle

I believe natural diversity should be encouraged without intensive management, like predator control or habitat manipulation particularly for the purpose of increasing game species for sport hunting.

Comment 032653.004
John Lyle

Natural diversity should be encouraged w/o intensive management such as predator control or habitat manipulation for any purpose, but especially to increase game species for hunting.

Comment 136935.001
Karen Malley

First of all, I believe the final plan must assure that the primary Refuge purpose to conserve natural diversity must never be compromised by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 136936.001
Tricia Mattiello

I strongly oppose any State requests to conduct predator control in the Arctic Refuge. The CCP should specifically prohibit consideration of any State regulation or plan, including artificial manipulation or intensive management of wildlife, which conflicts with federal law and policy.

Comment 137007.001
Jerry McDonnell

State "Game" Management vs. Refuge Stewardship — The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, it fails to acknowledge that the State's goals for managing wildlife sometimes conflict with Refuge purposes of maintaining natural and wild wildlife populations, e.g. State-sponsored predator control and intensive management. The plan must explicitly state that when there is conflict, Refuge purposes and management must prevail. The Fish and Wildlife Service must exercise its responsibility to preempt the Alaska Department of Fish and Game and the Alaska Board of Game when necessary to protect the integrity of the Refuge and its wildlife.

Comment 136984.003
John Moore

When wilderness values and Refuge purposes are in conflict with the state's game management goals, the FWS must ensure that the wilderness values and Refuge purposes prevail.

The primary Refuge purpose, conservation of natural diversity, must never be compromised by allowing predator control or habitat manipulation to increase populations of game species for hunting.

Comment 136985.002
Susan Morgan

Guidelines that provide for protection of population dynamics of species without predator control should be strengthened by implementing the Agency's non-intervention policy, which is well stated in the very important climate change management guideline.

Comment 136985.003
Susan Morgan

A conflict exists between State management and Refuge management of wildlife, and while the draft plan acknowledges the need for coordination, it should direct the FWS to place wilderness values and Refuge responsibility for maintaining natural and wild wildlife populations above State objectives. The final plan must assure that the primary Refuge purpose to conserve natural diversity must never be compromised or preempted by decisions to allow predator control or habitat manipulation to increase game species for hunting.

Comment 136813.004
Allen Smith

The Draft Revised CCP/DEIS fails to recognize the clear record of conflict over differences between the wildlife management goals of the State of Alaska ADF&G and the legally established wildlife management goals that USFWS is bound by under ANILCA, the Wilderness Act, and other federal law. These two sets of goals are not always compatible, particularly with regard to State intensive species game management and predator control. The Draft Plan does not have enough emphasis on USFWS's responsibilities to follow federal law, not Alaska law in its cooperation with the State. The Memorandum of Understanding signed between the State of Alaska and USFWS in March of 1982 does not require that USFWS give undue deference to the State. Again, there is no place for predator control in the Arctic Refuge or its Wilderness Area.

Comment 221418.001
Marissa Weber

include a clause that states that when in conflict, the wilderness values and refuge's needs must prevail; not the Board of Game.

Comment 032610.001
Sharon Baur

State “Game” Management vs. Refuge Stewardship — The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, it fails to acknowledge that State goals and methods for managing wildlife sometimes conflict with Refuge purposes of maintaining natural and wild wildlife populations, e.g. State-sponsored predator control and intensive management. The plan must explicitly state that when there is conflict, Refuge purposes and management principles must prevail. When necessary to protect the integrity of the Refuge and its wildlife, the Fish and Wildlife Service must exercise its responsibility to preempt the Alaska Department of Fish and Game and the Alaska Board of Game

Comment 032611.001
AKNWR Friends

State “Game” Management vs. Refuge Stewardship — The draft plan appropriately recognizes the need to coordinate with the Alaska Department of Fish and Game. However, it fails to acknowledge that State goals and methods for managing wildlife sometimes conflict with Refuge purposes of maintaining natural and wild wildlife populations, e.g. State-sponsored predator control and intensive management. The plan must explicitly state that when there is conflict, Refuge purposes and management principles must prevail. When necessary to protect the integrity of the Refuge and its wildlife, the Fish and Wildlife Service must exercise its responsibility to preempt the Alaska Department of Fish and Game and the Alaska Board of Game.

3.52.4 State Harvest Records

Comment 032626.034
Greg Warren

V1, 4-216, 4.4.5.7 State Harvest Records for General Hunting and Trapping: The affected environment section should provide a summary of the harvest levels for each Game Management Unit (or Guide Use Area if data is available at that scale). Provide a summary of the estimated known population and trend for the principle hunted species: Dall sheep, moose, grizzly bear, caribou, black bear, and wolf. Lake trout in Neruokpuk Lakes should also be included. These tables could then be reproduced in the environmental consequences chapter to disclose the predicted effects of each alternative on these species. The no action alternative should describe the current population management programs and the effects of those programs.

Comment 032626.035
Greg Warren

V1, 4-221, 4.4.5.7 State Harvest Records for General Hunting and Trapping, Harvest Information: Graphs for grizzly bears, wolves, and wolverine harvests are not included, but that information should be displayed. This is important since these species are listed in the enabling legislation. This data would also be helpful for disclosing impacts in the environmental consequences chapter.