

STATE OF ALASKA

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DIVISION OF GOVERNMENTAL COORDINATION

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Pam Wilson
Public Involvement Specialist
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99503

Dear Pam,

The State has reviewed the State's Resource Management Recommendations (RMR) for the Nowitna National Wildlife Refuge. At this time we would like to provide the following addendum.

17(b) Easements

We request that the Comprehensive Conservation Plan (CCP) address easements reserved on Native lands pursuant to Section 17(b) of the Alaska Native Claims Settlement Act. This should include the anticipated effects on overall refuge access and use as well as the U.S. Fish and Wildlife Service's (FWS) management intent regarding these easements.

Navigable Waters

We request that the CCP identify all navigable waters within the refuge. We further request that FWS seek expedited navigability determinations from the Bureau of Land Management on other waterways for which determinations have not yet been made.

Water Rights

The State, through the Department of Natural Resources, is currently working with the Service to develop standard mutually acceptable language which will clarify FWS's intent to quantify refuge water resources and file this information with the State. The State has proposed the following language.

"The water resources of the Kenai NWR will be managed to maintain the primary purposes (as listed in Section 303(4)(B) of ANILCA) for which the refuge was established. Water for secondary and other purposes will be applied for under AS 46.15. Specific water resources requirements for primary purposes will

cooperation with the State of Alaska . Once the federal reserved water rights have been quantified, the FWS will file this information with the State in accordance with existing State laws."

Following FWS review of this language, it is the State's intent that this or similar language addressing water rights be included in all future CCP's and applied to those CCP's which have already been finalized.

Oil and Gas

We request that the oil and gas information base and potential on the refuge be identified and that FWS management intent regarding exploration and development be addressed in a thorough and reasonable manner.

Revised Statutes (RS) 2477

We request that the CCP include a statement of management intent regarding RS 2477 rights-of-way. The State will soon be proposing new language intended to address this issue.

State Agency Access

We request that the plan clearly indicate that management directions regarding access and use of motorized vehicles and equipment by FWS personnel also apply to State agency personnel for management and research activities.

Subsistence

The current RMR includes a specific section which provides guidance on the issue of subsistence uses of wildlife resources. Regarding subsistence uses in general, the RMR could be added as follows:

"The residents of Ruby and Tanana are concerned that refuge management not interfere in the existing uses of the refuge by the public, particularly local subsistence uses and also for continuing local and nonlocal hunting and trapping. There has been some inconsequential conflict between local and nonlocal users in the past, partially a result of the availability of access. We encourage the refuge staff to continue their recent efforts to involve and communicate with local users. The FWS instrumented a resources use survey in Ruby in 1984 which provides some baseline information regarding their uses of the refuge. We recommend refuge staff consider, and discuss with local residents, conducting a similar survey in Tanana; we believe

information on hunting, fishing and trapping by Tanana residents will result in proper recognition of their use of the refuge area as well. The Subsistence Division extends its interest in continuing a relationship of advising and assisting refuge staff in conducting such surveys. We are concerned about potential increasing conflicts between local and nonlocal users, impacts of other resource uses such as placer mining and recreation on subsistence uses, and, subsequently, how FWS intends to involve F&G in addressing these."

Planning Questions

Reviewers noted some problems with the phrasing of the planning questions in the Issues Summary of the Introduction. Although we were not requested to comment on this portion of the document, the questions as phrased could in some cases be misinterpreted to indicate intent to usurp certain State responsibilities for management of fisheries, wildlife and other resources. Generally, the questions are more accurately phrased as contained in the discussions. Examples:

TRAPPING

"How will trapping be managed on the Nowitna NWR?" could be rephrased "How will FWS address trappers, cabins and traplines?"

WILDLIFE, HUNTING, & HABITAT

"How will use of the wildlife resources of the Nowitna NWR be managed?" could be rephrased "How will FWS address habitat, wildlife management, and resource needs?"

MINERALS AND ENERGY DEVELOPMENT

"What is an appropriate FWS management intent regarding mining and oil and gas activities within Nowitna NWR? What resource assessments are needed and what restrictions or limitations will be in effect?"

TRANSPORTATION & ACCESS

More appropriately the issue seems to be whether access and transportation restrictions or improvements are intended.

FISHERIES


Regarding identified fisheries issues, we suggest the second question be rephrased to "What fisheries information needs and/or management actions regarding fishermen will be pursued?"

Other Concerns

We suggest that you review the May 15, 1985 Mutual Understandings Between the State and FWS regarding the Kenai National Wildlife Refuge CCP. This document, prepared jointly by the State and FWS and endorsed by the Alaska Land Use Council, contains other information and clarifications which would likely enhance your understanding of a number of common State concerns.

Thank you for the opportunity to review the State's Resource Management Recommendations for Nowitna. As the planning team begins development of the draft CCP, please do not hesitate to call appropriate agency representatives or myself if you need additional clarification on any of the above information. Since these issues generally apply equally to all refuges in Alaska, I am sending a copy of this letter to each of the planning teams for consideration. The State looks forward to reviewing the upcoming Nowitna draft CCP.

Sincerely,



Sally Gibert
State CSU Coordinator

cc: L. Kerr
P. Jerome
N. Olson
J. Mazzone
State CSU Contacts