

STATE OF ALASKA

SARAH PALIN, Governor

ANILCA IMPLEMENTATION PROGRAM

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September 14, 2007

Mike Spindler
Refuge Manager
Kanuti National Wildlife Refuge
101 12th Avenue, Room 262
Fairbanks, Alaska 99701

Dear Mr. Spindler:

The State of Alaska has reviewed the draft revised Comprehensive Conservation Plan (CCP) and Environmental Assessment (EA) for the Kanuti National Wildlife Refuge (April 2007). This letter represents the consolidated views of the State's resource agencies. We appreciate the opportunity to offer our comments and are available to address any issues or questions you may have. Many of our comments derive from the following observations:

- Recent changes to the refuge's fire management program create an inconsistency between the refuge's Fire Management Plan and the CCP. Specifically, the latest Fire Management Plan seeks to intentionally manipulate natural disturbance levels to maintain a specific habitat type (caribou winter range of late-seral lichen woodland) on a substantial portion of the refuge. This type of more active fire management does not appear to be consistent with the intent and management direction associated with the plan's Refuge Vision to manage Kanuti "*for its natural unaltered character...as driven by biological and physical processes through time*" (section 1.4.2).
- Some aspects of the plan give an impression of unnecessary favoritism toward local subsistence users in contrast to non-local or recreational refuge visitors. While we recognize that subsistence is the predominant use of the refuge and we applaud the refuge's efforts to work with this importance constituency, we request selected revisions that avoid the appearance that that the refuge may be unnecessarily discouraging recreational users without a basis for doing so. See our comments under Public Use.

These and other specific comments are addressed in more detail below.

Fire Management

In 2006, the refuge staff converted the fire management option from Limited to Modified in nearly a fifth of the Kanuti Refuge (290,000 acres). The purpose of this change, as documented on page 2-4, was to protect some of the remaining lichen woodland on the refuge as late-seral

wildlife habitat, specifically caribou winter range. This change is apparently in response to more than 50% of the refuge receiving wildland fire disturbance in the last 20 years. It is commonly understood that fire is generally beneficial to the primary subsistence species on the refuge (moose) and other early-seral birds and mammals, while caribou rely on late-seral spruce woodland. Given the chronic low abundance of moose in the area over the last decade, residents of Allakaket and Alatna desire to hunt caribou when the opportunity arises. Local residents also desire to protect larger white spruce in riparian corridors from fire for their use as building materials and as desirable camping spots. In addition, the Refuge appears interested in maintaining late-seral habitat to maintain the current diversity of wildlife species in the face of increased wildland fires that may, over time, alter this diversity.

While the State recognizes these valid interests, the extension of Modified fire management may not be realistic or desirable for the following reasons:

- Current wildland fire trends associated with climate change suggest future increases in fire occurrence and effect, making the Kanuti Refuge an unlikely place to successfully manage for caribou or other late-seral species.
- Habitat protection for caribou on the Kanuti Refuge is not critical for conservation of either the large, widely ranging Western Arctic Herd or the small Ray Mountain Herd, the latter of which winters primarily south of the refuge.
- Increased short-term emphasis on fire suppression may have longer-term costs and consequences associated with large, catastrophic fires.

Most importantly, other management options are available, even under Limited fire management, that allow the benefits of fire on the broader landscape while reducing the potential for unwanted fire on specific habitat areas, Native allotments, and other identified values for which protection is desired.

We recognize that decisions about fire management on the Kanuti Refuge are not made in the CCP. We provide this background and context because we did not have an opportunity to present these concerns in another context, and because we see a key inconsistency between the refuge's desire to manipulate natural fire disturbance levels and the Refuge Vision proposed in the CCP to manage Kanuti "*for its natural unaltered character...as driven by biological and physical processes through time*" (page 1-9, section 1.4.2). Specifically, the CCP does not account for the fact that the refuge's fire management program is a significant departure from the Vision Statement. To rectify the situation, the refuge has several options, including revisiting the Fire Management Plan, changing the Vision Statement, or creating and explaining a specific exception to the Vision Statement to address fire management. While the State might prefer the first choice, we will assume for the purposes of these comments on the CCP that the refuge will likely identify a fire management exception to the Vision statement.

Under the projected scenario, we also recommend the CCP better explain how the current fire management objectives are consistent with Minimal management. The basic description of Minimal management, similar to the Vision Statement, says "*Habitats should be allowed to change and function through natural processes*" (page J-6, section 1.3). Yet direction affecting fire management in the Table (page J-39) demonstrates flexibility in Minimal management for

on-the-ground management needs. The Table allows for various forms of habitat manipulation and the full suite of fire management tools, including prescribed burning, if they are otherwise consistent with management objectives or further refuge goals. Some specific discussion about the application of Minimal management in the context of fire management in Chapter 2 will clarify the seeming inconsistency with the “*Habitats...*” sentence quoted above.

We also recommend the CCP better explain the rationale for the current management intent. For example, page 2-4 does not recognize either the apparent desire to maintain (or slow the decline of) caribou habitat to retain hunting opportunities, or the intentional effort to offset the impacts of climate change.

If the refuge decides to revisit the Fire Management Plan as part of the solution to the inconsistency with the CCP, we suggest a thorough review of the values needing protection from fire in areas currently designated for Modified fire management to identify areas that could be changed to Limited. Changing some of the Modified areas to Limited will help mitigate the impact of the planned exception to the Vision Statement on flora and fauna whose abundance and distribution depends on recurring fire disturbance. As previously noted, Limited fire management (like Minimal management) still provides flexibility to actively suppress fires in specific areas for specific purposes. The widespread application of Modified fire management extends ostensibly targeted fire management objectives to overly broad areas, thus unnecessarily increasing the gap between fire management and the Refuge Vision.

Given the importance of fire management to the CCP, we request that Appendix M include a map of current fire management options. Many members of the public are either unaware that such maps are available on-line or do not have access to them.

In most instances throughout the CCP, we request references be made to wildland fire “management,” not “suppression.” The Alaska Interagency Wildland Fire Management Plan (AIWFMP) refers to fire management options and all the participating agencies agreed to use this terminology. “Fire management” is a broader term that allows more flexibility and avoids the negative bias inherent in “fire protection” or “suppression.” The AIWFMP allows managers options and flexibility to manage fires to help achieve a variety of land and resource management objectives. Examples of such suggested changes are included in Attachment A.

In reference to page 2-4, second paragraph, line 4: “*The suppression of human-caused...wildland fires.*” We recognize that national U.S. Fish and Wildlife Service policy requires suppression of human-caused fires, although under state policy, the decision on how a fire will be managed is guided solely by land and resource management objectives, irrespective of the source of ignition. In light of efforts within the federal sector to similarly modernize this aspect of national fire policy, we recommend the CCP avoid explicitly distinguishing human-caused fires. The phrase “unwanted wildland fires” is broad enough to include human-caused fires without specifically mentioning them.

Finally, as a resource manager, the Alaska Department of Fish & Game (ADF&G) was not notified of the recent fire management option changes during either the annual review process under the AIWFMP or preparation of the Kanuti Fire Management Plan. Coordination and

consultation with ADF&G is addressed by the Master Memorandum of Understanding between the Service and the ADF&G and, specific to the notification process for fire management option changes, by the AIWFMP 2005 Revision to Management Option Boundary or Management Level Change Procedures. In order to promote better understanding of refuge management intent and to minimize conflict with ADF&G management activities, we request the Service consult with ADF&G when revising the refuge Fire Management Plan and considering fire management option changes.

Public Use

As noted in the summary, we are concerned about the appearance of favoritism toward subsistence use of the refuge. Section 101 of ANILCA, the Service Mission Statement and the Refuge System Mission Statement (page 1-4) all provide direction to manage refuges for the continuing benefit of the American people, which includes subsistence and recreational uses. Unless there are specific, documented user conflicts, refuges are established for the benefit of all users, whether those uses are generally recreational or subsistence in nature. This is more fitting with the legislative and policy direction in the enabling legislation. We recognize the importance of subsistence use on the refuge, and tools are available to manage documented user conflicts including, when necessary, regulatory action through the State or Federal Board processes. While we recognize that the planning team has made great strides in rectifying some of these appearances in the Kanuti CCP, several sections still give this impression.

Page H-59, CD for Commercial Transported Services, Refuge Specific Special Conditions, third bullet. We understand and support the intent of this condition to enlist the help of commercial transporters to reduce potential conflicts between user groups on refuge lands; however, the approach is inappropriate and unenforceable. For example, it is inappropriate to suggest that non-local refuge visitors cannot camp on selected land not yet conveyed to Native corporations; these are still refuge lands subject to general public access. Also, this condition establishes de facto hunting closures with no basis in state or federal regulation. Replacing this entire condition with a refuge commitment to develop and distribute (through, in part, voluntary efforts of commercial transporters) a public use brochure is one way to address this concern and has been used successfully in other locations. Such a brochure could include how local subsistence users, non-local hunters and other refuge visitors can have a satisfying refuge experience that respects the interests of each user group, as well as outlining select state and federal regulations for the area.

We appreciate that subsistence and trapping cabins are found to be compatible (page H-31), even in light of the intent to preserve the refuge's wild character. This CD does not, however, provide a threshold of cabin abundance or density that would begin to threaten the wild character or other resources of the refuge. Yet in the July public meeting refuge staff reported that public use cabins would be incompatible with the refuge's "keep it wild" philosophy. This appears to be an inconsistent and subjective treatment of uses that lacks standards for establishing an overall level of human use or cabin density that could occur while maintaining the wild character of the refuge. An objective and transparent strategy to balance refuge values can be based on factors such as a pre-determined level of user-days for hunting, fishing, trapping, recreation, etc. or the probability of encountering another group engaged in a similar activity. We believe appropriate

cabin use guidelines can be established for any allowable cabin type that will protect refuge resource values while maintaining opportunities for subsistence activities on the refuge.

Section 3.4.8 on page 3-110 notes local resident concerns about potential fish habitat damage from use of air boats and shallow water jet boats. Including this statement is unnecessary since 1) we understand the primary concern is airboats and, as noted, these are not allowed per Service regulation on non-navigable waters where the Service has jurisdiction; and 2) it unnecessarily implies a documented distinction between recreation and subsistence use of motorboats. Issues listed in the Affected Environment should have some documented basis besides anecdotal comments. We suggest that if the Refuge perceives this as a real issue that studies be proposed.

In Table 6-1 page 6-9, includes the postulated question, “*Is recreational use on the refuge displacing subsistence users?*” We appreciate the Service’s interest in developing a better understanding of locally- perceived concerns about displacement because making management decisions based on anecdotal reports is unwise. We recommend posing the question in a more neutral manner, such as: “*What is the relationship between recreational and subsistence use on the refuge?*” The corresponding “Measured Characteristics” could be framed as “*Number and type of user conflicts observed or reported*” and the “Sampling Procedure” would be revised to “*Collect information from refuge users, guides, air-taxi operators, and staff.*”

Page H-5, CD for Subsistence Activities. No stipulations are required for subsistence use, such as determining sustainability of practices through harvest monitoring, enforcement, etc. In contrast, similar activities by the small fraction of recreational hunters have such stipulations (page H-14). An explanation of these inconsistencies is warranted.

Species Diversity, Wildlife Management, Biological Monitoring

The plan (page 2-4) indicates that the refuge will be managed “*for its natural diversity – both wildlife and habitat. We interpret this to mean on a refuge-wide scale.*” This interpretation established the context for how “diversity” is applied in the draft CCP (e.g., section 3.3.1 on page 3-29) and directs management actions to maintain ecological diversity at the refuge scale. However, understanding diversity requires a baseline assumption of the chosen time period used to frame the range of natural processes. The Ecosystem Management Approach (section 1.2.1 in Appendix A) describes “*the effective conservation of natural biological diversity through perpetuation of dynamic, healthy ecosystems.*” However, certain management decisions in the CCP (e.g., fire management favoring caribou habitat) appear to present an intent to maintain a static system. This intent could, in the long run, require substantial management intervention to maintain the targeted, intact diversity of plants and animals currently representative of the Kanuti Refuge, especially with climate change driving ecosystem dynamics. The definition of a fixed diversity standard also has potentially lasting implications for management of individual refuges and for overall ecosystem management, such as potential management actions that might need to be considered in the future to maintain viable populations in arctic and subarctic ecosystems. The role that national wildlife refuges in Alaska will play in species migration in response to changing vegetation is an important topic deserving of further consideration by the Service at the refuge and regional level. Ultimately, the CCP needs to rectify the seemingly conflicting

objectives of maintaining current species diversity while maintaining naturally-occurring changes in a dynamic ecosystem.

The State endorses the efforts by Kanuti Refuge to conduct ecological inventory and monitoring (e.g., Goals 1 and 2 in section 2.9 and systematic mini-grids for multiple species on page 3-23). We are very concerned, however, by the incremental delays in completing these inventory and monitoring plans. The 1987 Kanuti CCP recommended detailed management plans to implement the CCP, including resource inventory and analysis (page 9). Service policy 701 FW 2 requires these plans, and several national wildlife refuges in interior Alaska have approved plans (some dating back to the early 1990s) that could be used as prototypes. When the Biological Review Team for Kanuti Refuge met in 2002, it recommended completion of wildlife inventory and monitoring plans as a top priority to ensure application of scientific methods with appropriate and repeatable study designs, particularly given that the framework of monitoring has already been defined (Table 6-1) and numerous inventory projects are underway. The 2005 report by the committee of the Biological Program Review recommended that the refuge complete the plans by 2006. Now the draft CCP variously reports that the Inventory and Monitoring Plan (albeit as step-down portions thereof) is proposed to be completed in 2009 (page 2-28) and alternatively in 2010 (page 6-2). We strongly recommend completion of inventory and monitoring plans before any new field projects are initiated.

The section on predator control (page 3-70) noted that Ricketts, et al.¹ (incorrectly cited in the draft CCP) identified “*potential overharvest or overemphasis of management on game/commercial wildlife species outside of natural range of variation*” as a threat in ecoregion 83 (lowland taiga in Alaska and western Yukon). When this statement is used to emphasize concern with predator management programs conducted by the State of Alaska, as it is in this section, we request the following clarifications:

- definition of “natural range of variation” for moose density, given that humans have been hunting big game prey and their large predators in the Kanuti region with modern firearms and trapping wolves for over a century; and
- indicators or standards the refuge will be monitoring (or identified in a biological monitoring plan) to ascertain whether any degradation of ecosystem function has occurred if a predator control program is conducted.

The proposed refuge objective to index bear abundance (#16 on page 2-32) is a start in the right direction to address concerns over a decline in bear abundance if hunting regulations are liberalized. However, to be effective, performance indicators or statistical parameters are needed to determine if bear populations have declined and subsequently to determine any effect of change in bear abundance on ecosystem processes so that management decisions are based on objective information.

Off-Road Vehicles

Laws and regulations governing off-road vehicle (ORV) use, especially for subsistence use, are omitted or sometimes mischaracterized, leaving the incorrect impression that the refuge has no

¹ Ricketts, T. H., E. Dinerstein, D. M. Olson, C. J. Loucks, W. Eichbaum, D. DellaSala, K. Kavanaugh, P. Hedao, P.T. Hurley, K. M. Carney, R. Abell, and S. Walters. 1999. Terrestrial ecoregions of North America: a conservation assessment. World Wildlife Fund—United States and Canada. Island Press, Washington, D.C.

leeway to allow ORV use for specific purposes or under specific circumstances. In particular, several locations in the plan state or imply that ORVs are prohibited, as if by refuge-specific regulation. The following page-specific comments address these points. See also Compatibility Determination comments for pages H-33 and H-63.

Page 2-9, 2.5.6, Access, first paragraph.

First sentence: Please specify that 43 CFR 36.11 concerning ORVs refers to recreational use to avoid the implication that it applies to subsistence use as well.

Fourth sentence: The reference to the history of ORV use is relevant to ANILCA Section 811 and the discussion about subsistence use at the beginning of the next paragraph and we therefore suggest it be moved. (The reference in the same sentence to allowing ORVs on designated trails or by special use permit is appropriate within the context of recreational use and should remain in the first paragraph.) We also request a clarification in the final plan that if additional information comes to light about the existence of traditional use of ORVs for subsistence purposes on the refuge, the Service will manage this use, and will develop regulations if restrictions are needed to protect refuge resources. We also maintain our view that a larger-scope study of all pre-ANILCA activities and access would shed more light on historical use and would establish a stronger foundation for any future access regulations that may be needed. See also page-specific comment for page 2-38.

Page 3-104, 3.4.6, Transportation and Access, Off-Road Vehicles. In the first sentence, we request clarification that 43 CFR 36.11 prohibits the *recreational* use of ORVs. Similarly, we request clarification that the illegal ORV activity referenced in the second paragraph is relative to 43 CFR 36.11 and recreational use of ORVs. We also request recognition of ANILCA Section 811(b) that indirectly addresses the allowance of ORV use if traditionally employed for subsistence purposes. Alternatively, this section could simply refer the reader to page 2-9, 2.5.6 Access for a discussion of subsistence access once it has been edited for accuracy.

Appendix K, Oral History of ORV use near the Kanuti NWR. We appreciate the thorough and well-intentioned outreach to learn more from local residents about traditional forms of access. In the future, however, we request that researchers consult with the State prior to embarking on such outreach to insure that efforts are not being duplicated, and to insure use of the best possible methodology and quality of responses.

Other Page-Specific Comments

Page 1-8, Figure 1.4. The legend categories are hard to differentiate. We recommend alternating patterns of transparent shading for clarity if the final copy is to be in black and white.

Page 2-3, 2.5.1, Subsistence Management, second paragraph, last sentence. We request revision of the last sentence as follows, to be consistent with the general Management Policies and Guidelines and federal regulations: “*Snowmobiles (with adequate snow cover), motorboats, and other means of surface transportation traditionally employed for subsistence purposes are allowed, subject to reasonable regulation.*” All access rights and methods are pertinent in this context.

Page 2-8, 2.5.5, Public Use, first paragraph, fifth sentence. To be more consistent with federal subsistence law, we request that “non-residents” be changed to “*non-residents and non-local residents.*”

Page 2-8, 2.5.5, Public Use, second paragraph. This says, without qualification, that no roads, trails or visitor facilities would be developed. To be consistent with the parallel statement on page 2-3 under 2.5, second paragraph, we request the addition of “...*unless needed to prevent degradation of resources.*” Or delete the entire sentence as duplicative of the Elements Common to All Alternatives.

Page 2-9, 2.5.6, last paragraph. First, this paragraph mischaracterizes opportunities for transportation and utility systems (TUS) under ANILCA Section 1102, and generally confuses this topic with roads in general. For example, a plan amendment is only applicable to TUS proposals in Minimal management, instead of Moderate. Including a simple cross reference to the TUS discussion in 2.12.7 on page J-26 is all that is necessary in this section. To supplement the direction in Appendix J, we recommend this paragraph be revised as follows: “*No roads exist on federal lands within refuge boundaries and no new roads would be built by the Service under any of the alternatives. A proposal for a new road or other transportation or utility corridor pursuant to Section 1102 of ANILCA would be addressed as described in Section 2.12.7.*”

Page 2-23, 2.8.3, Fish, Wildlife, and Habitat Management, first paragraph. Per the general Management Policies and Guidelines in Appendix J, native fish introductions may be allowed in all management categories. If the intent here is that the refuge itself does not plan to introduce native fish then this section should be so clarified.

Page 2-31, 2.9, Refuge Goals and Objectives, Objective 13. Because wolves and their prey have life cycles that take them on and off the refuge, we request the objective specify that any studies will be conducted in cooperation with neighboring management agencies during both development and implementation stages.

Page 2-37, 2.9, Refuge Goals and Objectives, Objectives 33 and 34. We request these objectives clarify that the Service will coordinate their work with the Alaska Department of Fish and Game as a whole, and not just the Division of Subsistence. Coordination and consultation with the Division of Subsistence is appropriate and encouraged, but several other divisions may have information relevant to these objectives.

Page 2-38, 2.9, Refuge Goals and Objectives, Objective 38. While we support this objective, we would prefer that it be broadened to encompass a refuge-wide assessment of access for traditional activities prior to and following the passage of ANILCA. The methodology for a joint federal/state study is available and has been tested in other conservation system units.

Page 2-40, 2.9, Refuge Goals and Objectives, Objective 47. At the end of the first sentence, we request adding “..., *including information from the State Office of History and Archaeology.*”

Pages 2-42 and 2-43, 2.10, Comparison of Alternatives, Table 2.6. The table needs to be updated to be consistent with the general Management Policies and Guidelines in Appendix J. In particular, we note inconsistencies related to improved sites for docking and storing a float-equipped airplane, and off-road vehicles. For off-road vehicles, please update the preferred alternative entry to “*May be allowed on designated routes in Moderate management or by special use permit*” to be consistent with text on page J-25.

Pages 2-45 through 2-47, Table 2-7 Comparison of Previous and New Management Direction. We understand that the intent of the table is to give readers an understanding of how proposed management direction is different from current management. However, summarizing how issues were addressed in the 1987 plan, without also considering regulations and/or policies either in effect at the time or established during the life of the plan, could result in differences that would not necessarily carry forward should the “No Action” alternative be considered. For example, the information provided in “Collection of other plant materials for subsistence” may imply that the 1987 plan does not allow this activity, when such collection was then allowed by ANILCA. In comparing alternatives, there would essentially be no change in management direction; however, the “Comments” column implies there is a new allowance with Alternatives B and C. To address this issue, we request the introduction to the Table (Section 2.12.1) clarify that the 1987 plan predates numerous subsequent laws and policies, so implementation of the “No Action” alternative would not actually match the 1987 plan.

Page 2-45, Table 2-7, Habitat management. The information included under Alternatives B and C is incomplete. Please revise the phrase about mechanical treatment to: “*mechanical treatment is allowed in Moderate management and not allowed in Minimal management, subject to exceptions in Appendix J under 1.3.*”

Page 2-45, Table 2-7, Fish and wildlife species introductions. The column “Alternatives B and C – Revised Conservation Plan,” only addresses the reintroduction of native species on the refuge. We recommend also including native fish introductions, fishery restoration and fishery enhancement as they also fall under this broad category.

Page 3-69, Adjacent Timber Harvest and Mining. The EA states that commercial timber harvest and mining are not allowed on the refuge. Consistent with Appendix J (see also Table 2.7), commercial timber harvest is allowed when utilized to meet management objectives and mining is allowed on valid claims. Even though, per 3.13, there are no longer valid claims on the refuge, the blanket statement is misleading. We recommend the following revision to the second sentence: “*The refuge does not anticipate using commercial timber harvesting as a tool to meet refuge management objectives, and the lack of mining claims on the refuge precludes mining activity. Nonetheless, if these activities...*”

Page 3-113, Figure 3-60, Arctic Interagency Visitor Center, Visitation 1989-2006. To avoid misunderstandings about the spike in visitation in 2003, we recommend the figure description point out the correlation with construction of the new visitor center.

Page 3-116, 3.5 Wilderness Values. While we agree that describing wilderness values satisfies 304(g) of ANILCA, the CCP should clarify that the refuge contains no designated Wilderness

Areas. See Kodiak CCP, page 3-101. Otherwise this discussion, especially the paragraph at the bottom of this page, may imply that management requirements of the Wilderness Act apply. We also request the wilderness discussion explain that even though the refuge has some important wilderness values, the 1987 wilderness review process concluded that the Kanuti Refuge should not be recommended for wilderness designation because the refuge did not meet all criteria (e.g. lack of “outstanding resources values”).

Page 3-117, Outstanding Opportunities for a Primitive and Unconfined Type of Recreation. Consistent with the Kodiak CCP, and in recognition that ANILCA provides for motorized and mechanized activity in both Wilderness and non-Wilderness areas, we request the following minor revision: “*Primitive and unconfined recreation use **does not require** motorized or mechanized activity and occurs in an undeveloped setting...*” (emphasis added)

Page D-3, Proposed RS 2477 “Highways.” This section is out of date and inconsistent with the 2006 policies issued by Secretary Norton. We request removal of unsubstantiated and subjective statements, such as “*Roads or highways developed in these locations would increase public access, but would fragment important habitats within the refuge, seriously affecting fish and wildlife.*” We also recommend including a clarification about the technical term “highway” since it is at least as likely that any given RS 2477 route would be developed by the State as a trail instead of a road. Specifically, we request inclusion of the following sentence that BLM uses in its plans when discussing RS 2477 rights-of-way: “*‘Highways’ under state law include roads, trails, paths and other common routes open to the public.*”

Page D-5, Map entitled “*Proposed Revised Statute – 2477 ‘Rights-of-Way’*”. We request removing the term “proposed” from the title. Obviously the CCP is not proposing these routes, nor are they “proposed” by the State. “Asserted” also has inappropriate connotations. We recommend labeling the map “*RS 2477 Rights-of-Way Identified by the State of Alaska*” or, as used by BLM: “*State-recognized RS 2477 Routes.*”

Page D-4, Table D-1. These data on RS 2477 routes are attributed to a 1995 date. The list has since been reevaluated by the State and an updated list, circa 2001, is provided for reference in the final plan (Attachment B). No new routes have been added, but the descriptions can help supplement the discussion and complete any missing information in the Table.

Page D-7, 17(b) Easement Map. Since 17(b) easements are not necessarily reserved based on existing uses, we request they not be distinguished as “existing” or “proposed,” as it may infer that a legal or regulatory difference exists in their respective management. If an on-the-ground distinction is warranted for certain trails, to be consistent with terminology in 43 CFR 2650, we request using “reserved” when referring to “proposed” easements.

Page E-4, Preparers. Brandon McCutcheon is listed as Brandon Ducsay, please note the name change.

Compatibility Determinations

General Comment – The term “high quality” is found throughout the CDs. The inherent difficulty in defining “high” quality is a long standing state comment and we suggest performing a word search on all CDs to remove these qualifiers when they may indicate or imply a management standard. We also question the inclusion of “pets” as a fairly frequent secondary use – both in terms of why “pets” is considered a “use”, and also why it is so widely applicable (especially for activities such as scientific research).

Page H-5, CD for Subsistence Activities. The final paragraph in Anticipated Impacts of the Use states: *“Because a portion of Kanuti Refuge (southeastern quarter) is wind-blown and adequate snow cover usually does not remain on the ground, a great increase in intensity of snowmobile use might have to be addressed by restrictions to protect resources in this area.”* We suggest either deleting this sentence or clarifying that snowmobile use is currently only allowed during periods of adequate snow cover and the refuge manager already has authority to announce when conditions are or are not adequate for snowmobile use on the refuge based on resource conditions per 43 CFR 36.11. Such administrative seasonal openings and closings are routinely made, for example, at the Kenai Refuge and Denali National Park and Preserve. As written, it seems to imply that an additional process may be necessary to implement restrictions on snowmobile use based on anticipated impacts due to lack of snow cover. Also, the ability to manage for adequate snow cover need not be tied to levels of use. This same comment also applies to Page H-28 in the CD for Snowmobiling.

Pages H-27 through H-30, CD for Snowmobiling. There is no mention of ANILCA provisions in this CD. We recommend including a reference to both Sections 811 and 1110(a) for context about these access provisions.

Page H-31, CD for Subsistence and Trapping Cabins. We question why “temporary camps” has been included in the “Primary Use” sub-heading since there is no other reference to temporary camps in the document. Additionally, the CD mixes references to “trapping cabins” and “subsistence trapping cabins.” Trapping in Alaska is simply considered a use and is not differentiated between user groups (subsistence, commercial, recreation, etc.). Furthermore, trapping cabins are not limited to subsistence use; and conversely, subsistence cabins are not limited to trapping uses. For these reasons, we request the “Primary Use” heading match the CD title: “Subsistence and Trapping Cabins.” The remainder of the CD supports this change.

Page H-31, Description of Use, last sentence. We request “local rural residents” be changed to “other trappers” because use of trapping cabins is not limited to local rural residents.

Page H-33, Regional Standard Special Conditions. The sixth bullet states that the use of off-road vehicles is *“prohibited on Kanuti Refuge unless specifically authorized in writing in this permit.”* There are no regulations “prohibiting” subsistence ORV use on the refuge, as use of the term would imply. The regulation at 43 CFR 36.11 is apparently the basis for including this regional stipulation; however this regulation addresses recreational use of ORVs, not subsistence use. We therefore request this condition be deleted. If subsistence use of ORVs needs to be addressed in this CD, we recommend addressing this in the Description of Use with a reference to ANILCA

Section 811 and a clarifying statement similar to the following: “*Based on the Oral History of ORV Use in Appendix K, there is no known history of subsistence use of ORVs on the refuge.*”

Page H-47, CD for Scientific Research. We agree with the statement in the Justification section that “*scientific research is not one of the specific purposes...of the Kanuti Refuge*”, based on the listing of purposes in ANILCA Section 302(4)(B). However, Section 101 describes additional purposes for setting aside all refuges in Alaska, which include, “*maintain opportunities for scientific research.*” We recommend including this very relevant purpose in this CD.

Page H-52, regarding helicopter landings. Under Justification, the CD indicates the 1987 CCP states “*use of helicopters is not permitted for recreational activities; other uses require a special use permit.*” The referenced page in our copy of the final 1987 CCP/EIS instead indicates helicopters “*may be permitted but only by special use permit.*” We request the Service verify the source of the quote and make any needed corrections. In addition, the correct regulatory citation at the beginning of this section is 43 CFR 36.11(f)(4) (emphasis added).

Page H-63, CD for Commercial Big Game Hunting Guide Services. The second to last paragraph in Description of Use states that the use of off-road vehicles by guides and/or their clients is “prohibited” on Kanuti Refuge. Since regulations at 43 CFR 36.11(g) include exceptions under which ORV use could be allowed (i.e. on designated ORV trails and by permit), it would be more appropriate to indicate that ORVs “are not authorized.”

Page H-67, CD for Commercial Big Game Hunting Guide Services, Refuge-Specific Special Conditions, fifth bullet. Please insert the underlined text for clarity: “*However, driftwood, standing dead trees and brush may be used for firewood, but standing vegetation may not be cut within 200 feet of streams or lake shores.*”

Page H-86, CD for Reburial of Archaeological Human Remains per State and Federal Guidelines, Regional Condition, second to last bullet. It is unclear why this CD includes a condition prohibiting helicopter use when it can be allowed by special use permit under 43 CFR 36.11(f)(4). We request the condition be removed or reworded to reflect the regulatory allowance.

Regional Stipulations Necessary to Ensure Compatibility

We understand many of the compatibility stipulations are also regional permit conditions. We have brought the following comments to the attention of the Region to address in a region-wide review of permit stipulations. We provide them here for your information within the context of this review. These comments address regional stipulations in the following Kanuti CDs.

Subsistence and Trapping Cabins
Subsistence Harvest of House Logs
Scientific Research
Helicopter Landings
Commercial Transporter Services

Commercial Big Game Hunting Guide Services
Commercial Recreational Fishing Guide Services
Commercial Recreational Guide Services
Reburial of Archeological Human Remains

- When regional permit conditions are included as stipulations, we suggest including an introductory statement. This will help to clarify that the conditions listed are typical of issued permits and may vary relative to a specific proposal or user group, such as:

“A special use permit with stipulations is required for this use. The following are typical stipulations, some of which are necessary for compatibility.”

- *“Use of off road vehicles (except snowmachines) is prohibited except in designated areas.”*

50 CFR 36.2 specifically excludes snowmachines from the definition of ORVs. Including *“except snowmachines”* in this stipulation inaccurately implies snowmachines are ORVs. We request the phrase in parentheses be removed and if necessary, snowmachine use be addressed by separate stipulation(s).

- *“The permittee will take no action that interferes with subsistence activities...”*

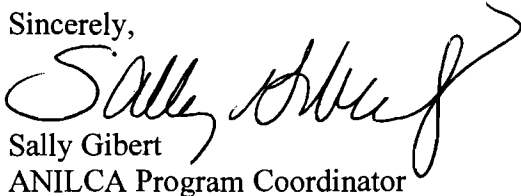
As written, this stipulation provides no allowance for accidental incidents or instances where a permit holder is not aware they are interfering with subsistence uses. For clarification and enforcement reasons, we suggest inserting *“intentionally”* before *“interferes.”*

- *“The permittee or his/her primary users shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.”*

It may be useful to include more specific timeframes in which notification must occur.

Thank you for the opportunity to provide these comments. If you have any questions, please call me at 907-269-7477.

Sincerely,


Sally Gibert
ANILCA Program Coordinator

Attachment A

Some suggested terminology changes in the Kanuti Comprehensive Conservation Plan to change emphasis from fire “suppression” to “management”

Chapter 2: Refuge Management Direction and Alternatives, page 2-4:

The Kanuti Refuge Fire Management Plan (USFWS 2007) provides specific information on the application and management of fire on the refuge. Additionally, the Alaska Interagency Wildland Fire Management Plan (Alaska Wildland Fire Coordination Group 1998) provides a cooperative framework and operational guidelines for the ~~suppression~~ management of wildland fires. The suppression of human-caused and unwanted wildland fires and the use of natural-caused wildland fires and prescribed fires as management tools are important management prerogatives on the refuge.

We will also manage fire to maintain habitat diversity at the older end of the post-burn vegetation succession spectrum. Approximately 290,000 acres in the central portion of Kanuti Refuge have been designated a special area where we intend to limit or exclude wildland fire from burning old growth lichen and spruce. We will manage this area to maintain old growth lichen-spruce habitat through a change in the fire management options ~~protection level~~ from “~~limited~~ Limited” to “~~modified~~ Modified” ~~suppression~~ Management. By ~~utilizing~~ suppressing more ~~aggressive fire suppression options~~ fire starts early in the fire season, we hope to reduce the potential of large fire growth during the latter part of the fire season, hence maintaining an area of unburned lichen-spruce habitat (USFWS 2006, page 47). This action will favor wildlife species that inhabit areas that have not burned for more than 80-100 years. For example, lichen woodland areas that have not burned in 80-100 years are important to caribou (Rupp et al. 2006).

6.1.5 Fire Management Plan, page 6-3

A fire management plan describes how a refuge would respond in a wildland fire situation. ~~The~~ Refuge fire management needs were ~~has been~~ classified with regard to land and resource management objectives, and ~~suppression needs based on resources and structures at risk protection needs~~. This plan was completed in 2007.

Page 6-5

Interagency cooperation is crucial when undertaking fire management activities. The BLM Alaska Fire Service (AFS) provides ~~suppression~~ fire management services for Department of Interior agencies and is in charge of detecting, monitoring, and, when appropriate, ~~suppressing~~ managing fires to protect identified values or meet land and resource management objectives on Federal lands in Alaska. The refuge’s fire management officer works closely with AFS when developing fire management plans, attends AFS briefings during the fire season, and coordinates with AFS on activities on the refuge.

Attachment B

RS 2477 Routes Identified by the State of Alaska (c. 2001)

Within the Kanuti National Wildlife Refuge

RST 289: Tanana-Allakaket Trail (~200 miles)

The trail runs from Tanana to Allakaket. This is an historic trail, originally used as a mail route from Ft. Gibbon (aka Tanana) to Bettles.

RST 450: Hickel Highway (Livengood-Sagwon)(~547 miles)

The trail originates in Livengood and terminates at a landing strip in Sagwon, passing through Anaktuvuk Pass. The route was developed as an access route to the North Slope oil fields for truck transportation, and had previously been used as a winter trail.

RST 1611: Bergman-Cathedral Mountain Trail (~285 miles)

The trail originates in the Brooks Range near the Arctic Circle, from the site of Bergman on the Koyukuk River, to the Dalton Highway, near Cathedral Mountain. It was used as a winter supply route to mines in the Koyukuk-Chandalar region.

Routes Adjacent to the Refuge

RST 105: Alatna-Shungnak Trail (~148 miles)

The trail runs from Alatna to Shungnak. The route has been described as a 1920's reconnaissance for the selection of a winter route between the Koyukuk and Kobuk rivers. The trail was used by the "area Natives", prospectors and trappers to get from the Kobuk River to the Alatna River.

RST 209: Bettles-Coldfoot Trail (~53 miles)

The trail begins in Evansville on the Koyukuk River and terminates at the Dalton Highway, approximately 2 miles south of Coldfoot. This is an historic winter trail, which connected the town of Bettles, head of navigation on the Koyukuk River, with the mining activities on the Upper Koyukuk at Coldfoot. The route was also part of the mail trail from the Yukon River to the upper Koyukuk district.

RST 308: Hughes-Mile 70 Trail (~53 miles)

The trail is from Hughes to Mile 70 of the Tanana-Allakaket Winter Trail, RST # 289. This is an historic trail which served as an outlet for miners and prospectors on the lower Koyukuk River.

RST 412: Slate Creek Trail (~58 miles)

The approximately 100-foot wide route runs from Coldfoot to the intersection with the Hickel Highway, RST # 450. The trail was used historically as a winter access route between Coldfoot and Wiseman, and also to access state mining claims.