

STATE OF ALASKA

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

SARAH PALIN, Governor

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March 24, 2008

Lisa Fox
National Park Service
240 West 5th Avenue
Anchorage, AK 99501

Dear Ms. Fox:

The State of Alaska reviewed the Anaktuvuk Pass Wind Power Generator Environmental Assessment (EA). The following comments represent the consolidated views of the State's resource agencies.

The State supports the Service's proposal to install a wind power generator at the Gates of the Arctic National Park and Preserve Ranger station at Anaktuvuk Pass. While we do not foresee the proposal having any measurable impacts on subsistence uses and do not expect the outcome of the EA to be affected as a result of the following comments regarding the Section 810 analysis, they are included as clarifications relative to this proposed action as well as for future reference by the Service.

Page A-2; Affected Environment; final paragraph, first sentence: The State of Alaska administers the harvest of fish and wildlife, including for subsistence purposes, except as superseded by Federal regulation. Therefore, the following statement is incomplete:

Subsistence harvest of fish and wildlife is allowed in Gates of the Arctic National Park and Preserve by qualified subsistence users subject to Federal subsistence management regulations and Park-specific regulations and policies.

We recommend the following rephrasing:

Harvest of fish and wildlife is allowed in Gates of the Arctic National Park and Preserve as regulated by the State of Alaska, except as superseded by Federal subsistence regulations and Park-specific regulations.

Page A-2; Affected Environment; final paragraph, second sentence: Although the Alaska National Interest Lands Conservation Act (ANILCA) provides the opportunity for a consumptive subsistence priority, it only applies "*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” (See ANILCA Section 802(2)).
Therefore, we recommend the following rephrasing of this sentence:

ANILCA provides the opportunity for a consumptive, subsistence use priority over other consumptive uses. However, as stated in Section 802(2) of ANILCA, this priority only applies when it is necessary to restrict the taking of fish or wildlife on federal public lands.

Page A-4; Restriction of Access; first sentence: While general access for subsistence harvest is guaranteed by Section 811, it is subject to reasonable regulations, and other entities have authorities to impose some limits; e.g., the Alaska Board of Game might seasonally restrict motorized use for hunting big game. We suggest the sentence is more accurate if “all” is removed.

Thank you for the opportunity to comment. Please contact me at (907) 269-7529 if you have any questions.

Sincerely,



Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator