

STATE OF ALASKA

SEAN PARNELL, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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June 7, 2010

Richard Voss
Refuge Manager
Arctic National Wildlife Refuge
101 12th Avenue, Room 136
Fairbanks, Alaska 99701-6237

Attention: Sharon Seim

Dear Mr. Voss:

The State of Alaska reviewed the April 7, 2010 Arctic National Wildlife Refuge Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS) Notice of Intent. The following comments represent the consolidated views of State agencies and supplement those provided in the May 11, 2010 letter from Governor Sean Parnell.

The State appreciates the opportunity to participate in the CCP revision process and the Refuge's efforts to include state representatives in planning discussions. While we disagree on several important planning issues, we look forward to continued dialogue and coordination on issues of mutual interest throughout the planning process. For example, the Alaska Department of Fish and Game and the Service have mutual responsibilities for conserving fish, wildlife and habitat as defined by law, regulation, policy and the agencies' Master Memorandum of Understanding. The following issues, concerns, or interests have been identified to date.

Wilderness Reviews

As noted in the Governor's letter of May 11, 2010, the State strongly opposes developing new recommendations for wilderness designation. Alaska is already home to half of the designated wilderness in the United States. Federal management of designated national refuge wilderness in Alaska, while moderated somewhat by the Alaska National Interest Lands Conservation Act (ANILCA), is nonetheless more restrictive than non-wilderness and subject to far more public pressure to roll back the special accommodations provided by ANILCA.

Agency wilderness studies pursuant to ANILCA Section 1317(a) were completed for Alaska's national refuge units in the 1980s. While we recognize those original recommendations were not submitted to Congress, there is no need to conduct a new

administrative wilderness review. The three non-wilderness portions of the Refuge are already effectively managed to protect and maintain their wilderness character. Additional wilderness recommendations or designations would therefore be redundant. As amply illustrated by the recent public scoping meetings, wilderness discussions also draw public attention away from other issues of importance, such as visitor use management and responding to climate change.

Oil and Gas Resources

Consideration of wilderness designation is inextricably linked to the potential for oil and gas development. Maintaining the option for oil and gas exploration and development, especially in the Section 1002 area of the coastal plain, remains of paramount importance to the State of Alaska. A wilderness designation precludes such on-shore development, which should be a concern at the national level as well, since the coastal plain represents the most promising unexplored petroleum region in North America.

The U.S. Geological Survey's (USGS) most recent comprehensive assessment of undiscovered oil and gas resources across the coastal plain was published in 1999. Like all modern resource assessments, the USGS study dealt with the uncertainty of predicting undiscovered resources by adopting a probabilistic approach, using statistical distributions to capture the range of possible outcomes. USGS estimated that the entire assessment area contains between 5.7 and 16 billion barrels of technically recoverable oil (BBO), with a mean (expected value) of 10.4 BBO. Technically recoverable non-associated natural gas (gas in reservoirs containing little or no oil) was estimated to range from 0 to 10.9 trillion cubic feet (TCF), with a mean of 3.8 TCF. Most of this volume was ascribed to the federal 1002 area with mean recoverable oil and gas estimated at 7.7 BBO and 3.5 TCF. Although these estimates were developed using all the available data and standardized assessment methods, they are inherently speculative in nature.

Wild and Scenic Rivers

We understand the Refuge intends to evaluate numerous rivers within Refuge boundaries to determine eligibility for designation into the Wild and Scenic River System. The State remains strongly opposed to new recommendations for wild and scenic rivers. The Refuge already includes three designated wild and scenic rivers. Similar to our concerns regarding wilderness, we consider additional designations excessive and unnecessary as Refuge management already provides adequate resource protection to the river corridors.

In addition, Public Land Order 82 and court ruling *US v. ASRC* determined that rivers north of the Brooks Range are federally-owned. Navigable rivers south of the Brooks Range, however, are not subject to these decisions. For these southern rivers, the submerged lands of navigable rivers were transferred to the State of Alaska at statehood. If any state-owned navigable rivers are recommended by the Service and subsequently designated as wild and scenic rivers by Congress, management authority of the rivers below ordinary high water is retained by the State of Alaska. As with all state-owned rivers within national wildlife refuges in Alaska, federal management would only apply to uplands within the river corridor.

Visitor Use Survey

The State has been supportive of the Refuge's intent to update the 1977 Visitor Use Survey to gather information on public uses in order to inform the CCP planning process. It is our understanding implementation of the revised survey has been postponed until after the planning process is complete. Given one of the purposes of the Refuge is to provide opportunities for a range of recreational activities, we urge the Refuge to reconsider and implement the survey this summer so CCP decisions that affect public use can be made using current visitor feedback.

Historical and Cultural Resource Protection

In recent decades, archaeological discoveries have occurred on glaciers and perennial snow patches across the Arctic. These discoveries often include rare organic tools lost in the snow and ice over millennia by hunters pursuing caribou. Frozen organic artifacts from these sites provide detailed information on past ways of life. High latitude warming is exposing these unusual finds. There is a high probability that the Refuge contains such artifacts that are being seasonally exposed to the elements. In support of the draft goal to conserve archeological resources, we recommend the CCP include strategies to study and recover these significant resources.

Section 811 Traditional Methods of Access

ANILCA Section 811(b) directs the Secretary to allow use of snowmobiles, motorboats, and *other means of surface transportation* traditionally employed by local residents for subsistence purposes, subject to reasonable regulation. If resource concerns associated with traditional modes of access are anticipated, we urge the Refuge to first document pre-ANILCA access before promulgating regulations to implement management restrictions. In addition, we request the Refuge make this a cooperative study with the State to take advantage of our historical data.

Thank you for your consideration of these comments. If you have any questions, please contact me at 907-269-7477.

Sincerely,

A handwritten signature in black ink, appearing to read "Sally Gibert". The signature is fluid and cursive, with a prominent loop at the end.

Sally Gibert
ANILCA Program Coordinator