

STATE OF ALASKA

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

SEAN PARNELL, Governor

550 W. 7TH AVENUE, SUITE 1430
ANCHORAGE, ALASKA 99501
PH: (907) 334-2563 / FAX: (907) 269-5673
nina.brudie@alaska.gov

June 1, 2012

Mr. Peter Wikoff, Natural Resource Planner
U.S. Dept. of the Interior, Fish & Wildlife Service
1011 East Tudor Road, MS 231
Anchorage, Alaska 99503

Dear Mr. Wikoff:

The State of Alaska (State) reviewed the Fish and Wildlife Service (Service) Notice of Intent published in the Federal Register May 17, 2012 regarding an application for a proposed right-of-way within the Kenai National Wildlife Refuge (Refuge) in support of the proposed Shadura natural gas development project, for which the Service will be preparing an Environmental Impact Statement (EIS). The State provided comments regarding this proposal dated April 13, 2012, in response to a request for preliminary scoping comments and notice of public meetings held in Kenai and Anchorage, Alaska in March, 2012. The following comments represent the consolidated views of the State's resource agencies.

It is our understanding that no new information regarding this application and proposal has been provided that would require additional review, however, we are providing these supplemental comments in response to the May 17 Notice of Intent, which incorrectly quotes the Alaska National Interest Lands Conservation Act (ANILCA). The Federal Register, under the heading Refuge Information, second paragraph, states "*ANILCA Section 1110(b) requires that the Service provide for **reasonable access to the subsurface estate.***" (Page 29359, emphasis added). ANILCA Section 1110(b) assures inholders "...adequate and feasible access for economic and other purposes..." As the Service moves forward, it is essential that the exact wording in ANILCA is reflected in the EIS to ensure congressional intent in granting this important right of access is accurately portrayed and considered.

Thank you for your consideration of these comments – we hope to provide additional comments during the environmental review of the proposal. If you have questions, please contact me at (907) 334-2563.

Sincerely,



Nina Brudie
ANILCA Project Coordinator

cc: Susan Magee, ANILCA Program Coordinator