



THE STATE  
of **ALASKA**  
GOVERNOR SEAN PARNELL

## ANILCA Implementation Program

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December 12, 2012

Jeanette Pomrenke  
Superintendent  
Bering Land Bridge Preserve  
P.O. Box 220  
Nome, AK 99762

Dear Superintendent Pomrenke:

The State of Alaska reviewed the Bering Land Bridge National Preserve (Preserve) Sport Hunting Guide Concessions Environmental Assessment (EA). The following comments represent the consolidated views of the State's resource agencies.

The State is supportive of the intent in the EA to offer concession contracts to provide guided hunting opportunities on the Preserve. Congress specifically recognized the need for hunting to continue in Alaskan national preserves. Sections 203 and 1313 of the Alaska National Interest Lands Conservation Act (ANILCA) state respectively that "... *hunting shall be permitted in areas designated as national preserves under the provisions of this Act . . .*" and the "*taking of fish and wildlife for sport purposes . . . shall be allowed in a national preserve under applicable State and Federal law and regulation*" (Emphasis added). With certain exceptions, state law requires that non-resident hunters be accompanied in the field by an Alaska-licensed guide. Authorizing big game hunting guides through a commercial services permit, allows the Service to fulfill the Congressional mandate to provide hunting opportunities for non-resident hunters within the Preserve.

While we recognize the Service retains authority "*to adjust client limits and limit uses in an annual operating plan based on pertinent information,*" (page 10) the EA generally appears to focus on reducing conflicts with subsistence users rather than adjusting harvest to meet harvestable surplus as determined by the State of Alaska. As these numbers are indirect allocations of wildlife, it is imperative the Service recognize the need to work with the State and adjust guided use opportunities, if necessary, to meet State biological objectives, within sustained yield principles.

As discussed in the EA, Congress reaffirmed the State's traditional role as manager of fish and wildlife in Section 1314 of ANILCA, which states that "[n]othing in [ANILCA] is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands...." Through the Alaska Constitution, the State of Alaska retains management authority for all wildlife within the state through the regulatory powers of the Alaska Board of Game, and is responsible to manage those resources under the sustained yield principle through the Alaska Department of Fish and Game. While additional subsistence harvest opportunities are provided through ANILCA, the Federal

Subsistence Board, in consultation with state managers, is responsible for evaluating all requests for additional consumptive subsistence opportunities for qualified rural residents through an open and active public process.

Therefore, alterations in wildlife abundance and/or population structure, as well as user conflicts, can be addressed as necessary through the Alaska Board of Game or the Federal Subsistence Board. If needed, the State can take immediate action by emergency order to maintain sustainability should an unexpected conservation concern arise. We appreciate the intent found on page 9 to consult with the State “*as needed,*” and request that consultation with the State occur whenever the Service considers modifying client numbers.

#### *Page-Specific Comments*

Page 7, Wildlife Populations: The reference to “healthy” populations in this context is misleading as that terminology only applies to subsistence management under Title VIII of ANILCA. BELA also offers general hunting and fishing opportunities. Section 201(2) of ANILCA states, “Bering Land Bridge National Preserve... shall be managed for the following purposes... to protect habitat for, and populations of, fish and wildlife....” Therefore we request the following clarification in the errata sheet for accuracy in applying the intent of ANILCA.

“... to protect habitat for, and ~~healthy~~ populations of wildlife....”

Page 7, Wilderness, first sentence: While a majority of the lands were determined eligible (formally referred to as suitable) in the GMP, in the ANILCA Section 1317 Wilderness Recommendation Final EIS for BELA, 89% of the Preserve was *not* recommended for wilderness designation. We understand the NPS has signed RODs for all ANILCA Section 1317 wilderness reviews conducted for park units in Alaska and we request any future references to “eligible” lands fully disclose those final decisions.

Page 7 – 8, Wilderness: As written, the discussion pertaining to temporary facilities is confusing. The 1988 GMP included a finding under ANILCA Section 1316(b) that “*new temporary facilities would constitute a significant expansion*” and therefore would not be allowed. It also concluded that tents which do not require platforms or other structures would not be limited by the determination and that in the future, if changing circumstances warranted, the NPS could propose to allow temporary facilities. This is significantly different from the statement in the EA. We request the final decision document accurately reflect the limits established in the GMP.

Page 21, 3.1.1 Access, first paragraph: We request the errata sheet recognize that helicopter use is permitted for administrative activities, as well as scientific use.

Page 44, 3.6.3 Moose, Harvest History, first paragraph: We request a citation in the errata sheet to substantiate the statement that “*Some predict that most State moose hunting regulations on the Seward Peninsula might need to move to Tier II hunts.*”

Page 54, last paragraph: The last sentence states “*The possibility of establishing camps within the Preserve on native allotments was also mentioned, though it was not clear whether this would be permitted within the Preserve boundaries.*” We question why this would be an issue for the Service as native allotments are privately-owned lands. ANILCA Section 103(c) states that State, Native Corporation, and private lands are not subject to federal regulations that apply solely to public lands within CSUs.

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

Sincerely,

/ss/

Susan Magee  
ANILCA Program Coordinator

cc: Douglas Vincent-Lang, Alaska Department of Fish and Game