



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

550 West 7th Avenue, Suite 1430
Anchorage, AK 99501-3561
Main: 907.269-8690

February 9, 2026

Public Comments Processing
Attn: Docket No. FWS-R7-NWRS-2025-1166
U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W
5275 Leesburg Pike
Falls Church, VA 22041-3803

Submitted online at <https://www.regulations.gov> and via email to merben_cebrian@fws.gov

Re: Draft Environmental Assessment for the Proposed Winter Access Across Arctic National Wildlife Refuge, Docket No. FWS-R7-NWRS-2025-1166

Dear Mr. Cebrian,

The State of Alaska (State) reviewed the Draft Environmental Assessment (EA) for the Proposed Winter Access Across Arctic National Wildlife Refuge (ANWR or Refuge). The proposed right-of-way would provide seasonal access across certain ANWR lands, when conditions permit, to the community of Kaktovik.

Kaktovik Iñupiat Corporation (KIC), an inholder within ANWR, applied under the provisions of the Alaska National Interest Lands Conservation Act (ANILCA) Section 1110(b) on February 8, 2023. ANILCA Section 1110(b) assures adequate and feasible access to private owned lands surrounded by public lands, also known as inholdings. KIC's request pertains to accessing KIC-owned lands which are located within the Refuge and have been determined, by the Fish and Wildlife Service, to be inholdings.

KIC seeks a 20-year right-of-way (ROW) permit for certain Refuge lands located between the western boundary of the Refuge and KIC's inholdings. As described in the Draft EA, the Fish and Wildlife Service's (FWS) Proposed Action is to issue the requested 20-year ROW permit. The ROW permit would authorize KIC to annually create and utilize a winter snow trail for the purpose of transporting large equipment and commodities to its inholdings. The ROW permit would accommodate two routes—a shore fast sea ice route across roughly 43 miles of Refuge lands and waters and an overland route across roughly 50 miles of Refuge lands and waters—along with three connecting routes across roughly four miles total that join the overland and shore fast sea ice routes between Simpson Cove and Anderson Point (see Map 4 in Appendix 3 of the Draft EA). Vehicles could move between the sea ice and overland routes at these three locations. Both routes and all three connectors could be utilized, at any time, each season. Within the proposed 200-foot-wide ROW, KIC would construct an annual 30-foot-wide snow trail.

The comments below incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G).

Support of ANILCA Access Rights

The State supports the FWS determination that KIC lands constitute an inholding under ANILCA Section 1110(b). As the Draft EA notes, the provisions of ANILCA 1110 specifically call on agencies to permit adequate and feasible access to private owners and occupiers of such lands, as well as their successors, for economic and other purposes.¹

Accordingly, the Final EA should explicitly recognize that residents of Kaktovik are also entitled to the access guaranteed by ANILCA §1110(b). The final right-of-way should provide a practical means of access for residents to reach their property, including reasonable use of personal vehicles, subject to stipulations necessary to protect the natural and other values of such lands.

Requiring residents of Kaktovik to load personal vehicles onto sleds for transport along the proposed right-of-way would impose significant logistical and financial burdens and would not constitute practical or reasonable access under ANILCA.

Such a requirement would effectively restrict customary and intended use of personal vehicles for economic and community purposes, contrary to ANILCA's intent. While the Refuge may impose reasonable stipulations to protect the natural and other values of refuge lands, those stipulations must not render access impractical or economically prohibitive.

Right of Way Standards

The proposed ROW activity standards align closely with those used annually for the Community Winter Access Trail (CWAT) system in the NPR-A. Minimal impacts to fish and wildlife resources are expected since KIC proposes only a snow trail (no ice armoring or stream ice bridges) and they plan to slot stream crossings in late May to maintain normal breakup conditions.

State Authorities

As noted in the Draft EA, the proposed trail would cross State lands and interests to the west of the Refuge; authorizations for use of State lands would be required for those crossings. The State appreciates the EA packet identifying the permits that will be obtained from the State and North Slope Borough after completion of the NEPA process. Additional State authorities apply within the Refuge boundaries, including water withdrawals and Title 16 habitat permits. The State encourages the applicant to consult relevant State agencies to initiate the necessary reviews which relate to State authorities.

Permits from the ADF&G Division of Habitat will be required for many of the stream crossings identified for the project. Please contact Maria Wessel at 907-459-7281, email: maria.wessel@alaska.gov (anadromous water and fish passage permits) regarding these permits.

For use of any DNR-authorized infrastructure, KIC should work with DNR and the permit holder to ensure that proposed activities are compatible with existing uses. Letters of Non-Objection (LNOs) from relevant parties may be appropriate.

Page-Specific Edits

The Emergency Contact List included in Appendix 5 -- Wildlife Management Plan (page 126 of the EA Appendix document) is out of date. Below are updated contacts for ADF&G.

¹ See ANILCA Sections 1110(a) and 1110(b)

State Agencies (ADF&G):

- Dr. Kimberlee Beckman (ADF&G) 907-459-7257, email: kimberlee.beckmen@alaska.gov (rabid foxes)
- Brendan Scanlon (ADF&G) 907-459-726, email: brendan.scanlon@alaska.gov (fisheries)
- Maria Wessel (ADF&G) 907-459-7281, email: maria.wessel@alaska.gov (anadromous water and fish passage permits)
- Alida Trainor (ADF&G) 907-328-6115, email: alida.trainor@alaska.gov (subsistence)
- Mark Nelson (ADF&G) 907-459-7242, email: mark.nelson@alaska.gov (wildlife)
- ADF&G Office of Wildlife Conservation Region 5 (Nome) (hunting/trapping) 907-443-2271, 907-443-6549 (fax)

Wild and Scenic River Reference

The FWS consideration of the Hulahula River on page 8 of the Draft EA as a Wild and Scenic River (WSR), which was “recommended for inclusion in the National Wild and Scenic River System”, is inappropriate.² This recommendation occurred during the Refuge’s 2015 Revised Comprehensive Conservation Plan (CCP)³ process and was never acted upon by Congress. As such, it is inappropriate to manage this river as though it were a designated WSR. The State concurs with the assessment that the development and use of the trail across or along the river would have negligible impact on its condition, but objects to the Refuge’s position that the river should be managed as though it were a designated WSR, nonetheless. Please remove Wild and Scenic Rivers from the issues for consideration in Table 1 of the Final EA.

Closing

Thank you for the opportunity to review and comment on this Draft EA. The State reiterates the support of a winter road to Kaktovik that will provide the community with essential access for supplies and services. Consistent mitigation, as outlined in the Draft EA, will further reduce any potential risks to wildlife and the natural values of the lands.

Please contact me at (907)269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,



Catherine Heroy
Federal Program Manager

² See ANILCA 1326(b) and ANILCA 1002

³ ANWR CCP, finalized April 3, 2015