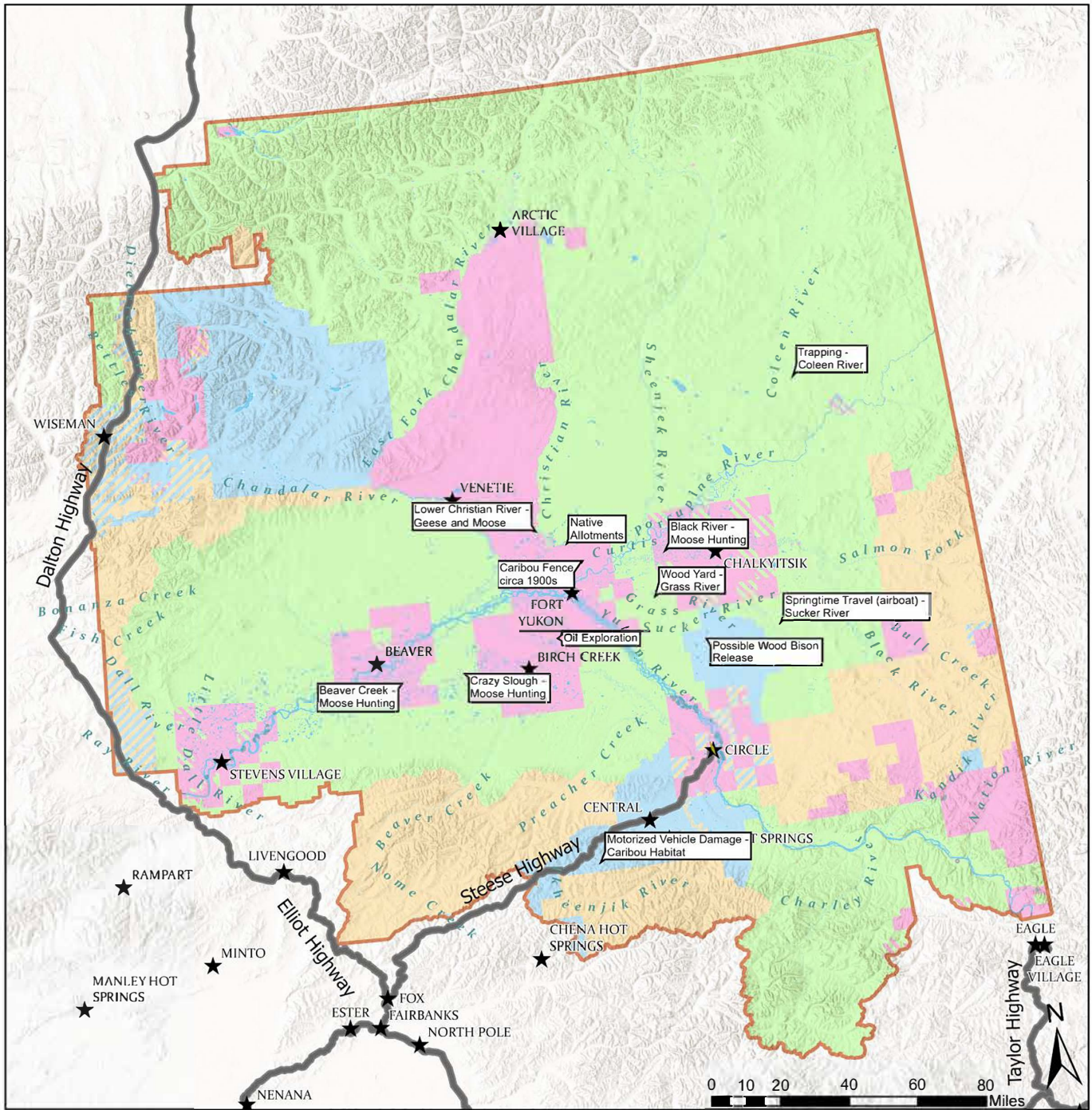


Northeast Alaska Area Plan Land Status Map

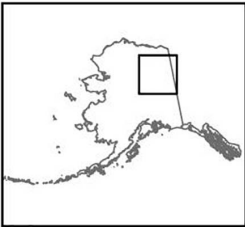


Legend

State Land	State Selected Land	Plan Boundary
Native Land	Native Selected Land	NPS/USFWS
BLM Land	Private or Other Land	

The State of Alaska makes no expressed or implied warranties (including warranties of merchantability and fitness) with respect to the character, function, or capabilities of this product or its appropriateness for any user's purpose. In no event will the State of Alaska be liable for any incidental, indirect, special, consequential or other damages suffered by the user or any other person or entity whether from use of the product, any failure thereof or otherwise, and in no event will the State of Alaska's liability to pay or anyone else exceed the fee paid for the product.

Created: July 2004
 ES: CHIK, DLG/AV: RAGS
 Projected Coordinate System: NAD 1983
 UTM Zone 18 North



Dear Mr. Earl,

I'm writing regarding the Northeast Alaska Area Management Plan. I've tried several times to submit this comment via the comment portal without success, so instead I'm sending it along to you directly in the hopes that you can make record of it. It is as follows:

"I live in Coldfoot and trap along the Chandalar Trail. I have a trapping cabin in the area under consideration. What I appreciate about this area is that between the park to the west and the refuge to the east, you have a block of state land where you can still go out and be on the land without so many restrictions. I don't think we need more roads, more private land, or more multi-national corporations. We don't need more out-of-state hunters or more ATV's. Wilderness is the most important source of individual freedom for Alaskans, and all of these things take away from that. In that regard, I think the current management of this area is generally sound, aside from a lack of effective enforcement of hunting regulations. One trooper may have been enough at some point, but these days the hunting pressure can in no way be matched by that level of staffing. If we take the time to write regulations to maintain healthy game populations, I think we're obligated to take the time to enforce them. I'm not sure what else is on the table with this plan, so I'll just say this: As it stands, this land is accessible to all Alaskans with a pair of shoes and a tent. I think we should keep it that way---no more, no less. There's enough tame, torn-up land already. Let's not make any more."

Thank you for all your work!

Best,

Dan Skarzynski

Francis Adams submitted a public comment online to the Alaska Division of Mining, Land, and Water on 8/23/2024. Thank you for your input!

Comment:

This area should be set aside and prioritized for subsistence uses. Thank you for your attention.



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE
Northern Alaska Fish and Wildlife Field Office
101 12th Avenue, Room 110
Fairbanks, Alaska 99701
September 4, 2024



VIA ELECTRONIC MAIL, NO HARD COPY TO FOLLOW

Alaska Department of Natural Resources
Division of Mining, Land & Water
Attn: Rob Earl (neaap.comments@alaska.gov)
Northern Regional Land Office
550 W. 7th Ave., Suite 1050
Anchorage, Alaska 99501-3579

Re: Northeast Alaska Area Plan (NEAAP)

Dear Rob Earl:

The U.S. Fish and Wildlife Service (Service) has reviewed the Alaska Department of Natural Resources (ADNR) information and scoping request for developing the Northeast Alaska Area Plan (NEAAP). The NEAAP, the first comprehensive land management plan for the Northeast Interior, encompasses approximately 4.5 million acres of State-owned lands northeast of Fairbanks that stretches from the Dalton Highway east to the Canadian border and north into the Arctic National Wildlife Refuge. The Yukon River and Yukon River Flats are prominent features within the center of the planning area. Other notable rivers include the Teedriinjik, Porcupine, Charley, Black, Christian and Colleen Rivers.

The Service recognizes the complexities involved with land management planning and commends the ADNR's foresight to develop a comprehensive land-use plan for State-owned lands in the Northeast Interior. When drafted, the NEAAP will present a thorough review of present and future plans for development as well as possible remediation of closed mining sites. We appreciate the ADNR establishing guidelines for protecting sensitive habitats (e.g., fish and wildlife migratory areas, feeding and breeding areas, high value wetlands) while allowing for subsistence and recreational use as well as environmentally responsible development. The Service also appreciates the opportunity to provide information describing Refuge lands, fish, wildlife, and habitat resources occurring in the plan area, many of which are shared resources with the Service (e.g., migratory birds, bald and golden eagles, endangered species, and inter-jurisdictional fish).

The Service's Conservation Planning Assistance Section of the Northern Alaska Fish and Wildlife Field Office provides specific information and recommendations in Attachment 1 for developing the NEAAP while avoiding and minimizing adverse impacts to our trust resources. In Attachment 2 we provide information related to our refuge management purposes and our responsibilities under ANILCA, including subsistence uses.

The Northern Alaska Fish and Wildlife Field Office, Yukon Flats National Wildlife Refuge (NWR) and Arctic NWR, as well as the Realty Office and Water Resources Branch appreciate the opportunity to work closely with the State of Alaska in developing the NEAAP. If you have any questions regarding our comments, please contact Amal Ajmi, Wildlife Biologist Northern Alaska Fish and Wildlife Field Office Fish at amal_ajmi@fws.gov or 907-456-0324.

Sincerely,

Matt Sprau, Branch Manager
Conservation Planning Assistance/Section 7
Consultation
Northern Alaska Fish and Wildlife Field Office

Attachment 1: U.S. Fish and Wildlife Service Specific Information and Recommendations for the Northeast Alaska Area Plan (NEAAP)

Potentially Affected Fish and Wildlife Trust Resources: The Service's trust resources are natural resources we are entrusted to protect for the benefit of the American people. Within the proposed NEAAP, these may include species listed as threatened or endangered under the *Endangered Species Act* (ESA) and their designated critical habitat, migratory birds (including eagles), and wetland tundra habitats used by these species.

Threatened and Endangered Species: The purpose of the Endangered Species Act (ESA) is to conserve threatened and endangered species (collectively referred to as ESA-listed species) and the ecosystems upon which they depend. Under section 7(a)(2) of the ESA, federal agencies shall insure that an action authorized, funded, or carried out by such agency (i.e., a federal nexus) is not likely to jeopardize the continued existence of any ESA-listed species or result in the destruction or adverse modification of designated critical habitat.

No ESA-listed species or designated critical habitat occur within the proposed NEAAP and consultation under section 7 of the ESA is not required. To confirm that no ESA-listed species and/or designated critical habitat occur within the proposed NEAAP, you are encouraged to obtain an official species list from the Information for Planning and Consultation (IPaC) tool at <https://ecos.fws.gov/ipac/>. If there is a future federal nexus associated with the proposed NEAAP (e.g., Section 404 Clean Water Act permit), and if the project may impact ESA-listed species, consultation under section 7 of the ESA would be required (see 50 CFR 402).

Migratory Birds and Their Habitats: Extensive wetland, boreal forest, riverine, and mountain cliff habitats dominate the landscape within and surrounding the proposed NEAAP. These habitats provide nesting, brood-rearing, overwintering, and spring and fall migration staging areas for hundreds of migratory bird species including waterfowl, shorebirds, passerines, and raptors returning from wintering areas in North and South America, Asia, and Africa.

Bird populations are in decline (BirdLife International 2018, Rosenberg et al. 2019). Some species warrant immediate conservation action, while others deserve focused attention to prevent continued declines. Six species in the proposed NEAAP region are considered Birds of Conservation Concern (BCC) by the Service, American golden-plover, gray-headed chickadee, lesser yellowlegs, solitary sandpiper, olive-sided flycatcher, and short-eared owl. These species occupy habitats including wetlands, forests and upland tundra. The BCC list is based on an assessment of several factors, including population abundance and trends, threats on breeding and nonbreeding grounds and size of breeding and nonbreeding ranges. Bird species considered for the BCC include nongame birds, gamebirds without hunting seasons, subsistence-hunted nongame birds in Alaska, and ESA candidate, proposed, and recently delisted species.

On a national scale, the Partners in Flight (PIF) system ranks each species of North American breeding bird based on seven measures of conservation vulnerability (i.e., relative abundance, breeding and non-breeding range size, threats in breeding and non-breeding areas, population trend, and relative density) in a biogeographic region compared to the maximum reached within its range (Carter et al. 2000). These criteria were used by the Boreal Partners in Flight Working Group (BPIF Working Group) to develop a list of landbird species of high priority for

conservation action within each biogeographic region of Alaska in the 1999 Alaska Landbird Conservation Plan (AKLCP) (BPIF Working Group 1999). The BPIF Working Group has since revised the AKLCP complementing the North American Landbird Conservation Plan (Rich et al. 2004, Rosenberg et al. 2016) as well as other statewide conservation plans including the Alaska Shorebird Plan (Alaska Shorebird Group 2019) and the Alaska Wildlife Action Plan (ADF&G 2015). Regional conservation assessments, such as the All-Bird Conservation Plan for Bird Conservation Region 4 (Sharbaugh 2007) were also incorporated into the AKLCP. The AKLCP identified over 30 species of concern for BCR 4 (Northwestern Interior Forest), including bald eagle, short-eared owl, and olive-sided flycatcher (Table 7 in Handel and Matsuoka 2021).

Important Bird Areas (IBAs): IBAs are places or habitats that are essential for bird populations (e.g., IBAs are areas in Alaska important for roughly two-thirds of all western hemispheric shore-bird species that depart Arctic breeding grounds in the fall and move south via North American flyways to wintering grounds).¹ Habitat loss (either by development or climate impacts) is a serious threat facing bird species across North America and Alaska. Migration routes and breeding concentration areas are largely determined by food availability. Abundant food resources assist migrating birds to build and maintain adequate fat reserves needed to complete migration routes and provide valuable resources for productivity. Birds may not survive migration or reproduce successfully if habitat is degraded and food sources at an IBA site are impacted. Foraging and staging areas along migration routes and breeding areas are now becoming limited by developments and fragmentation.

The proposed NEAAP encompasses three IBAs identified by the Alaska Audubon,² two of which (Yukon Flats East and Yukon Flats West) are located within the Yukon Flats National Wildlife Refuge (NWR) (Figure 1). Yukon Flats East and West are important areas for black scoter, white-winged scoter, trumpeter swan, Arctic terns, bufflehead, canvasback, common loon, short-billed gull, Pacific loon and red-necked grebe production. Both sites are classified important under the following:

- Site regularly holds significant numbers of flyway populations of local conservation concern,
- Site regularly supports significant numbers or exceptionally high densities of a species, subspecies, or flyway population, and
- Site is the location of a long-running research or monitoring project, still in operation.

The third, the Yukon-Charley Rivers IBA, is located with the Yukon Charley National Park, and is important for supporting American tree sparrow, boreal chickadee, fox sparrow, Canada jay, gray-cheeked thrush, Hammond's flycatcher, olive-sided flycatcher, pine grosbeak, varied thrush and yellow-rumped warbler.³ This site is classified important under the following:

- Site regularly supports $\geq 1\%$ of the global population of a landbird species simultaneously, or $\geq 5\%$ over a season.

¹ <https://ak.audubon.org/important-bird-areas>

² <https://ak.audubon.org/important-bird-areas>

³ <https://netapp.audubon.org/iba/Reports/4542>, Accessed 26 August 2024.

The Service assumes similar habitats outside the IBAs are occupied by the same species. Additional bird information sources include the following:

- Yukon-Charley National Park has documented 152 bird species¹,
- Yukon Flats NWR has documented 140 species², and
- Arctic NWR has recorded approximately 150 species in the Brooks Range and the foothills, taiga and boreal forest south of the Brooks Range.³

The Service advises and assists under the *Migratory Bird Treaty Act* (MBTA). The Act prohibits, with limited exceptions, the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species. Take is prohibited regardless of intent, and all proposed actions are responsible for any violation resulting from said take. While we understand the proposed plan is not project specific, we appreciate ADNR efforts to minimize impacts to nesting and breeding birds by considering bird concentration areas during the breeding season, which is generally May 1 – July 15 (March 1 – August 31 for eagles) in this region. Furthermore, we value previous Management Guidelines’ attention to specific species like the peregrine falcon and recommend incorporating into the proposed NEAAP.

The Service requests consideration be given to breeding birds and their habitats when developing land classification, and drafting language for the Management Guidelines section of the plan. We also suggest that thought be given to sensitive habitats down stream of activities, including those outside the NEAAP boundaries. Finally, as Area Plans are developed with long management term goals, we recommend considering climate impacts to habitats.

Bald and Golden Eagles: The Service appreciates previous State Management Guidelines regarding eagles and recommends incorporating similar language into the proposed NEAAP. The Bald and Golden Eagle Protection Act protects eagles from take,⁴ including disturbance anytime during the year to their nests, roosts, and foraging sites. The density of eagles (juveniles and breeding adults), especially golden eagles, within Alaska is highly variable statewide and varies by season (McIntyre et al. 2008). The Service maintains an eagle-nest database that provides an indication of past nest activity, which is useful for identifying the presence and suitability of nesting habitat in the project area, but the coverage is limited, and we cannot predict future use. The NEAAP comprises many suitable habitats for both species. We suggest consulting with the Alaska Department of Fish and Game to incorporate the shared eagle data to develop a habitat model for use in developing the plan and land classifications.

Service recommends following our *National Bald Eagle Management Guidelines* for bald eagles. We also recommend contacting our office for golden eagles as well as for other questions about eagles and construction, operation, and maintenance activities, including the potential need for an eagle incidental take permit. Please consider reviewing our Alaska webpage for *Bald Eagle Nesting and Sensitivity to Human Activity*, and our *National Bald and Golden Eagle Management* webpage.

¹ <https://www.nps.gov/yuch/learn/nature/park-species-lists.htm>, Accessed 26 August 2024.

² <https://avibase.bsc-eoc.org/checklist.jsp?region=USakyu02>, Accessed 26 August 2024.

³ <https://www.fws.gov/node/266098>, Accessed 26 August 2024.

⁴ <https://www.fws.gov/law/bald-and-golden-eagle-protection-act>

Wetland Habitat: Large portions of the NEAAP include wetlands. Wetlands regulated by the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA) are termed Waters of the United States (WOTUS). Not all wetlands are considered WOTUS, and non-WOTUS wetlands therefore are not regulated or protected by the USACE. All wetlands regardless of WOTUS designation are important as habitat for Service trust resources and are considered valuable in their entirety. One of the more important functions of wetlands from a fish and wildlife perspective is providing diverse habitat (e.g., staging, nesting, feeding, and brood-rearing areas for birds; foraging sites for mammals; and feeding and rearing habitat for fish). Additional wetland functions include reducing flood peaks, recharging groundwater aquifers, filtering pollutants, and supporting unique plant communities that contribute to biological diversity (USEPA 2015, National Research Council 1995).

The Service requests consideration be given to wetlands when drafting language for the Management Guidelines section of the plan, to include remediation and restoration of closed mines, as well as considering upstream impacts to those areas that may be designated as Habitat, (referenced as Ha in State land classifications) in the NEAAP.

Invasive Species: The Service appreciates the State land and water management practices to avoid the introduction of and reduce the spread of non-native invasive species, consistent with the requirements of 11 AAC 34. The introduction of non-native invasive species into intact ecosystems is recognized by scientists and land managers as one of the primary causes of biodiversity loss, ranking second only to outright habitat loss (Pimm and Gilpin 1989, Myers 1997, Stein et al. 1997). Invasive plant species are introduced species that out-compete native plants for light, water, and nutrients. They often grow rapidly, mature early, spread seeds that survive a long time, and have no natural controls. When invasive plants displace native plants, habitats may be altered and become no longer suitable for some wildlife.

Interjurisdictional Fish: Interjurisdictional fish are those species that move across state and international boundaries, such as anadromous species like salmon and sheefish. Salmon spawning sights may be a specific location, while rearing habitat may include a larger area. Spawning and rearing sights may differ spatially and temporally depending on species. For example, juvenile chum salmon go to sea early the first summer after emergence, so their habitat ranges from the spawning area downstream to the sea. Both Chinook and coho juveniles spend at least one year in freshwater before going to sea. Virtually all Chinook salmon spend one year in freshwater systems, while coho freshwater residency is typically 2 years, but can vary from one to three years (Randy Brown, Personal Communication 26 October 2023).

The proposed NEAAP intersects several watersheds with numerous resident and/or anadromous fish rivers, streams, and small waterbodies. For example, the Teedriinjik is an enormously important fish river. The lower Teedriinjik, downstream from the East Fork, supports a significant Chinook salmon population (Brown et al. 2017), estimated to be about 3% of the total Chinook salmon run in the Yukon (Eiler et al. 2014). Additionally, the fall chum salmon run that spawns mostly in the same reach, is considered to be the biggest single spawning population in the Yukon River drainage. Our field office has been running a sonar project for fall chums since the late 1980s (Clawson et al. 2022, Melegari and McGuire 2017, Daum and Osborne 1998, Goard 2024). We encourage the State to incorporate Teedriinjik chum salmon spawning habitat

information into the proposed NEAAP when determining classifications. Further, the Service recommends consideration be given to mineral exploration and development downstream impacts to important spawning habitat.

Whitefish: While residents of the Yukon Flats region harvest whitefish species throughout the year, the most intense fishing seems to occur in the late spring and early fall when whitefish are thought to be most actively migrating between river and lake habitats and along the network of sloughs and streams that characterize the area. The consistent presence of whitefish of one species or another in a wide variety of habitats throughout the year testifies to their significance as a subsistence resource in the Yukon Flats. We encourage the State to review and incorporate (Brown et al. 2012, pages 144 – 171) for important whitefish information when determining classifications and consider mineral exploration and development downstream impacts to important spawning habitat.

Climate Resilience: The proposed NEAAP is a long-term management document. As such, the Service recommends integrating climate change considerations into land classifications and planning while recognizing how the shifting climate patterns may affect ecosystems and communities. Developing and implementing adaptive management strategies will allow for flexible responses to environmental changes and related management uncertainties.

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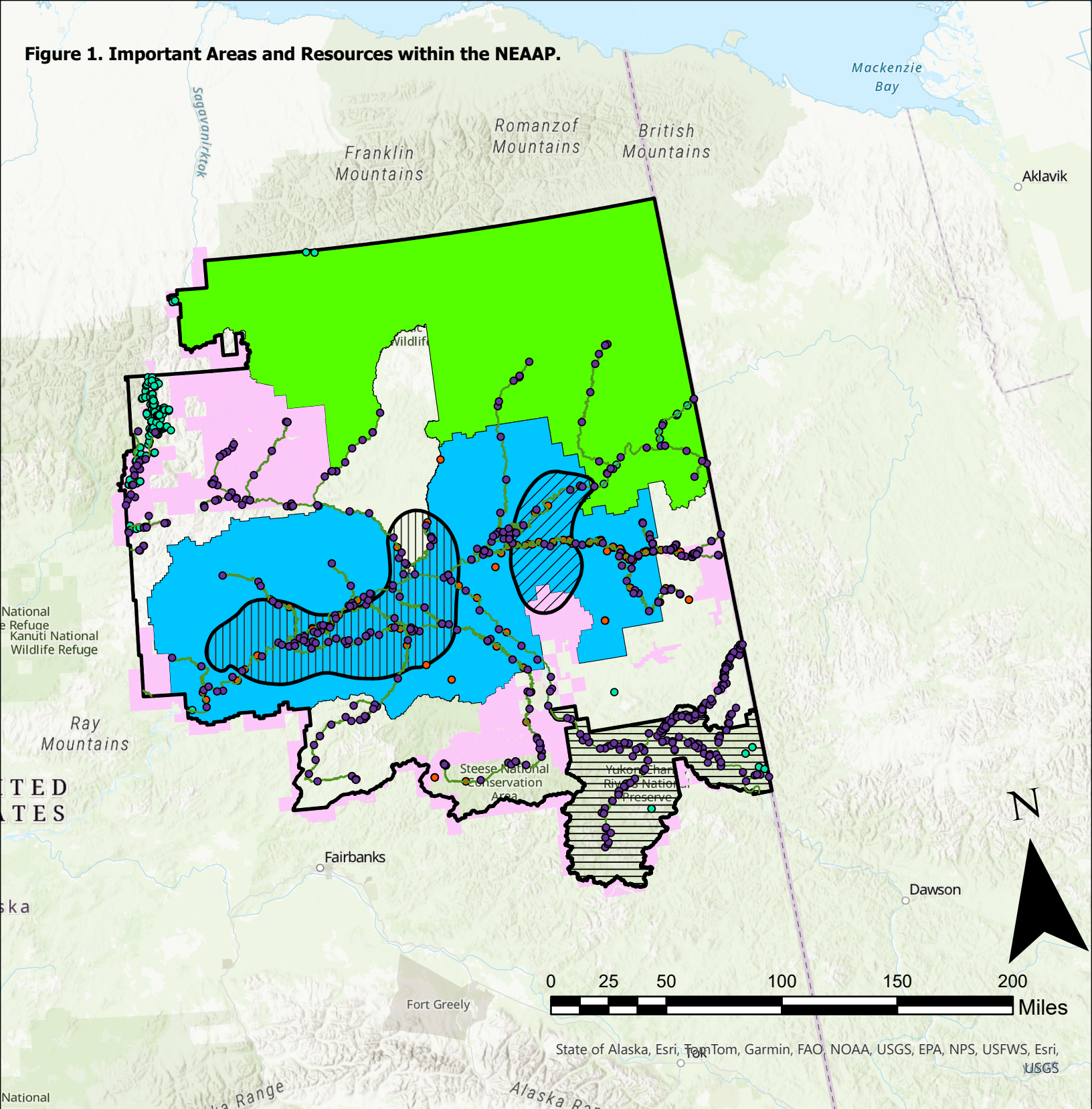
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Figure 1. Important Areas and Resources within the NEAAP.



Legend

- Northeast Alaska Area Plan Boundary
- Arctic NWR
- Yukon Flats NWR
- State Lands
- Important Bird Areas Aug 2014
 - Yukon-Charley Rivers
 - Yukon Flats East
 - Yukon Flats West

- FWS Eagle Database 2023
 - Bald Eagle
 - Golden Eagle
 - ADFG Fish Survey Point
- ADFG Stream
- ADFG Lake
- ADFG Poly

State of Alaska, Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, NPS, USFWS, Esri, USGS

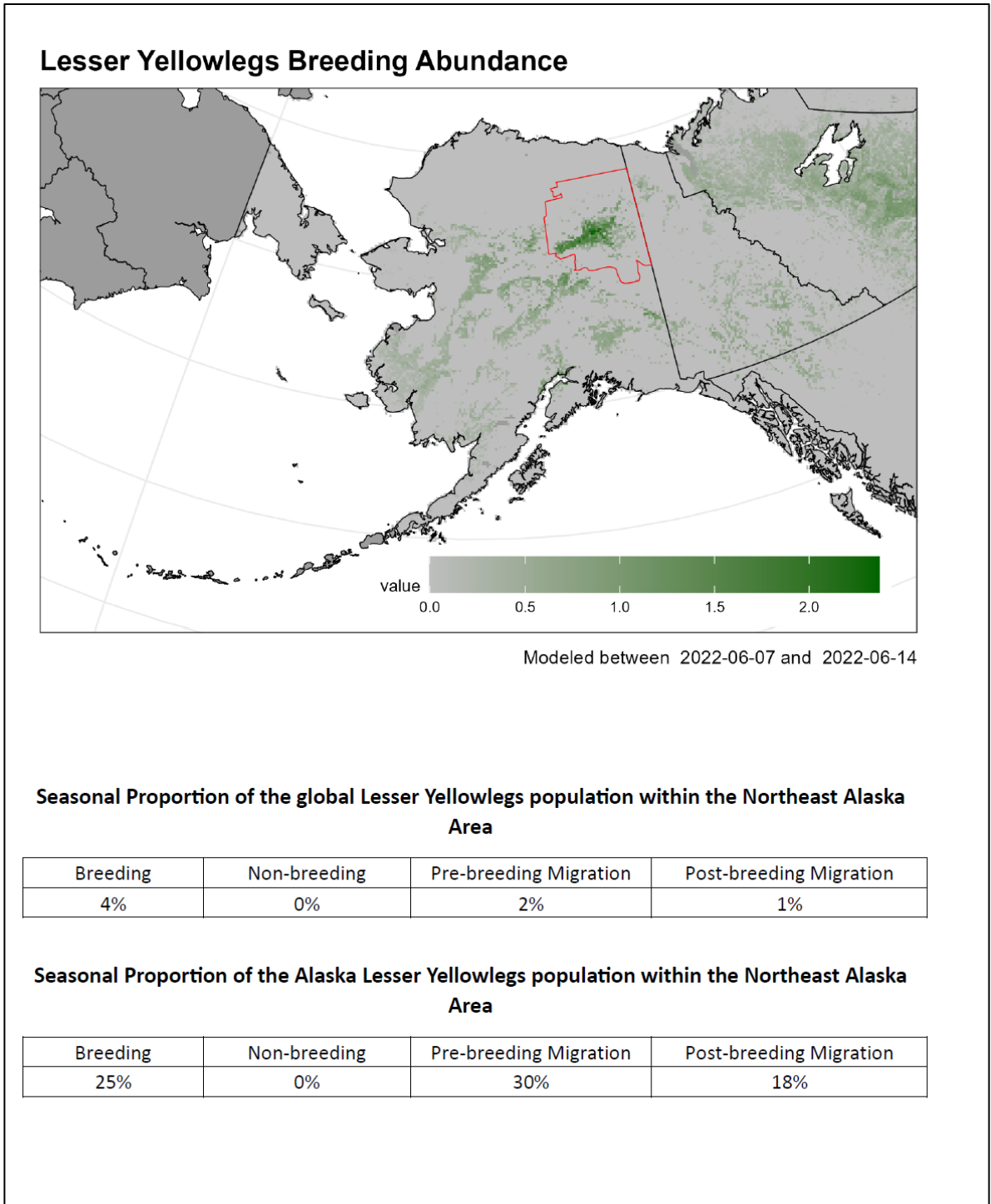


Figure 2. Percent of Alaska Lesser Yellowlegs breeding population found within the NEAAP.

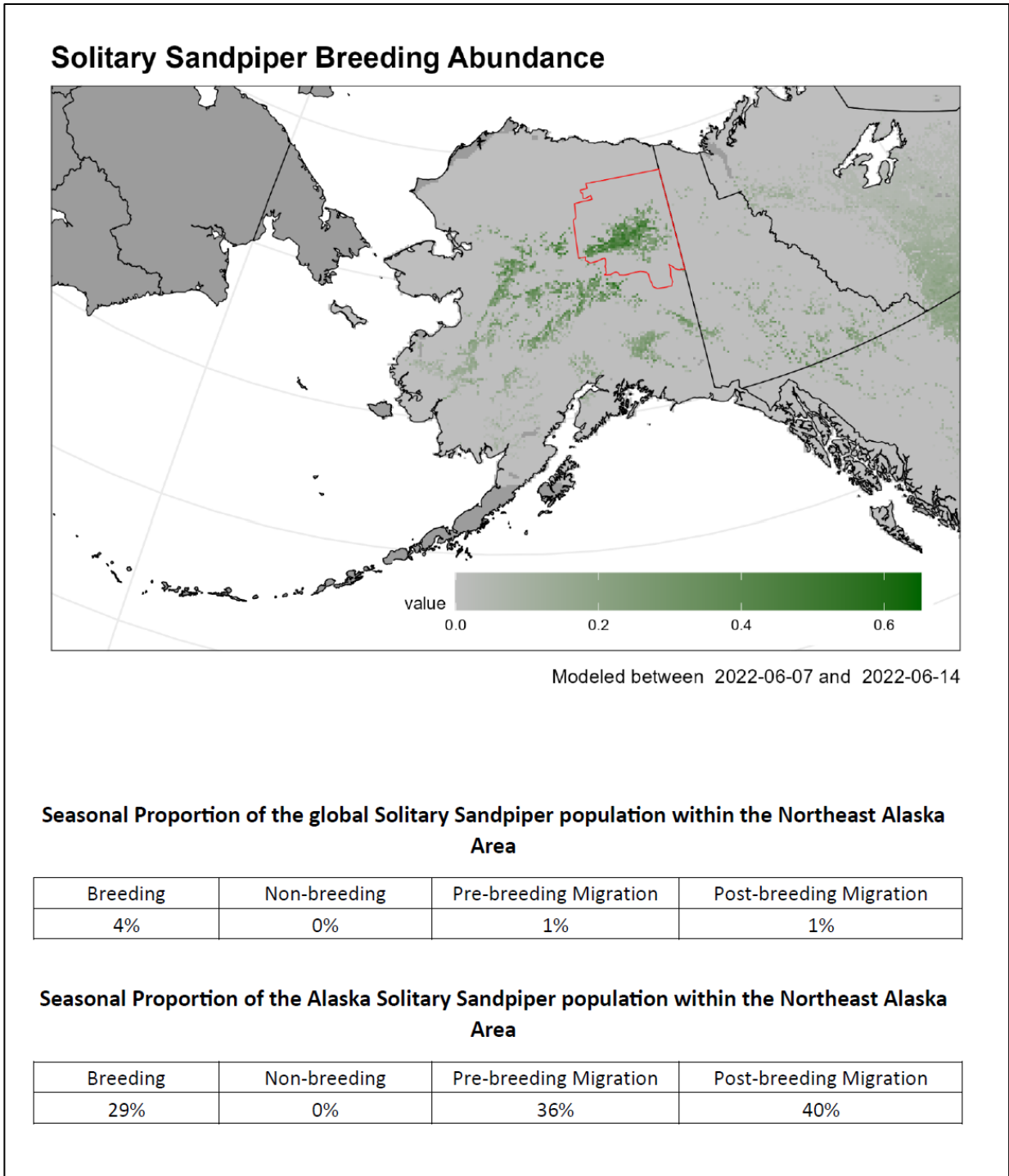


Figure 3. Percent of Alaska Solitary Sandpipers breeding population found within the NEAAP.

Attachment 2: U.S. Fish and Wildlife Service National Wildlife Refuge System Specific Information and Recommendations for the Northeast Alaska Area Plan (NEAAP)

The U.S. Fish and Wildlife Service (Service) National Wildlife Refuge System (NWRS) appreciates the opportunity to provide comments to the Alaska Department of Natural Resources (ADNR) on the future of state lands in Northeast Alaska as part of the development of the Northeast Alaska Area Plan (NEAAP). Below, we have outlined specific comments and considerations related to refuge lands and associated Service programs.

The National Wildlife Refuges (NWR) were expanded and established by the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. The purpose of ANILCA was to preserve certain lands in Alaska “for the benefit, use, education, and inspiration of present and future generations” (ANILCA, 96-487, § 101[B], 1980). The intent of Congress was “to preserve unrivaled scenic and geological values associated with natural landscapes; to provide for the maintenance of sound populations of, and habitat for, wildlife species of inestimable value to the citizens of Alaska and the Nation, including those species dependent on vast relatively undeveloped areas; to preserve in their natural state extensive unaltered arctic tundra, boreal forest, and coastal rainforest ecosystems; to protect the resources related to subsistence needs; to protect and preserve historic and archeological sites, rivers, and lands, and to preserve wilderness resource values and related recreational opportunities, including but not limited to hiking, canoeing, fishing, and sport hunting, within large arctic and subarctic wild lands and on free-flowing rivers; and to maintain opportunities for scientific research and undisturbed ecosystems” (ANILCA, 96-487, § 101[B], 1980).

The mission of the National Wildlife Refuge System (Refuge System) is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans (National Wildlife Refuge System Administration Act of 1966, as amended [16 U.S.C. 668dd-668ee]).

Refuge management is governed by several Federal laws, including the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd), as amended (Refuge Administration Act); the National Wildlife Refuge System Improvement Act of 1997, which amends the Refuge Administration Act (P.L. 105-57) (Refuge Improvement Act); the Wilderness Act (P.L. 88-577); and the Alaska National Interest Lands Conservation Act (ANILCA). Management of refuges is further directed by regulations implementing these laws, relevant treaties, Service policies, and principles of sound resource management. Together, these authorities establish standards for resource management and limit the range of potential activities and uses that may be allowed on the refuges.

The Refuge Improvement Act mandates that every national wildlife refuge develop a comprehensive conservation plan (CCP). These CCPs ensure that each refuge unit is managed in accordance with the purpose(s) for which it was established. We request that the ADNR consider the NWR’s purposes along with the Yukon Flats National Wildlife Refuge CCP and the Arctic National Wildlife Refuge CCP when developing the NEAAP.

We ask that the ADNR place a high priority on the protection of water quality and quantity in watersheds upstream of Conservation System Units (CSUs). We are highly concerned about the potential impacts of mineral and transportation permitting upstream of CSUs and the possibility that these actions could affect maintenance of fish spawning, rearing, and overwintering areas on refuges and federally managed fisheries waters. We urge the ADNR take every measure possible to guarantee that water quality and quantity will be maintained in State of Alaska managed watersheds that feed our refuges, and provide opportunities for subsistence users as well as drinking water.

We have concerns regarding the potential negative impacts on adjacent to and upstream of our Designated Wilderness Areas and Designated Wild Rivers (WSR). The significant disruptions and degradation of these sensitive areas, jeopardizing their ecological integrity and the unique experiences they offer to visitors. We encourage the ADNR to prioritize the preservation and protection of these valuable natural resources by taking proactive measures to safeguard these critical habitats.

We request that the DNR collaborate directly with the U.S. Fish and Wildlife Service when addressing uses on State lands that are immediately adjacent to and upstream of the Arctic, Kanuti, and Yukon Flats National Wildlife Refuges, including designations and management intent for federal lands selected by the State for conveyance under various land entitlement programs. This collaboration will help ensure that management actions and land use designations are aligned with the conservation goals of the adjacent federal lands. We recommend that the State of Alaska minimize wildlife habitat fragmentation and impacts to wildlife at the landscape scale that would reduce connectivity corridors between National Wildlife Refuges, State of Alaska managed lands and other CSUs.

We request that the ADNR utilize the Alaska Protected Lands Connectivity Study (Magness et al., 2015) to consider enduring topographic features in identifying the most important State of Alaska lands that currently connect habitats between established CSUs and State-managed lands. Additionally, the Service asks that DNR consider areas where climate connectivity corridors, as identified by Gabrielsen (2019), may be established to complement the land facet study. Connectivity is the number one recommended action to increase resiliency in the face of a changing landscape. In the rest of the country connectivity is being restored. We have a collective opportunity to keep Alaska connected and prevent the environmental catastrophes we see elsewhere.

We request that ADNR prioritize habitat connectivity areas to support future range shifts of species during the impending period of climate change. This could include, right-of-way exclusion areas, careful design of wildlife crossings and fish passages, locatable mineral entry withdrawals, and/or stringent permitting. These types of designations and actions on State of Alaska lands will have a much larger conservation impact if leveraged with the federal conservation estate, allowing a much larger portion of lands to be managed sustainably for multiple uses.

Finally, the Service urges the State of Alaska to prioritize the importance of maintaining habitat productivity and connectivity in areas that support valuable populations of fish, wildlife and

plants that are relied upon for subsistence by the residents of rural Alaska villages living near ADNR managed lands. Further, these residents also rely on refuge lands for subsistence, and we ask that State of Alaska ADNR strongly consider the effects of their actions on upstream watersheds that may affect downstream refuges that are important for providing rural subsistence opportunities and resources.

Water Resources

- The State of Alaska’s Northeastern Alaska Planning Area boundary includes the Yukon Flats NWR and the southern portion of Arctic NWR. Title III of the Alaska National Interest Lands Conservation Act mandates that the Service ensure water of sufficient quality and quantity for populations and habitats of fish and wildlife as a purpose of every National Wildlife Refuge in Alaska (P.L. 96-487, 94 Stat. 2371 (1980)). The fourth purpose for each refuge is “(iv) *To ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in ANILCA paragraph (i), water quality and necessary water quantity within the Refuge.*”

It is the policy of the Service to work within a State’s administrative system to obtain water rights for the protection of fish and wildlife and their habitats so long as the water rights provide adequate protection of water quality and water quantity (403 FW1). As such, the Service has worked within the State’s water regulation to apply for reservations of water for instream flow purposes. Collaboration with the Alaska DNR in the water reservations system is a critical role in fulfilling the purposes of Alaska’s National Wildlife Refuges.

The Service currently maintains 46 applications for reservation of water within the Yukon Flats NWR that are pending adjudication. The applications include 34 lakes and the following 12 river segments: Sheenjek River, lower Black River, upper Black River, Little Black River, upper Beaver Creek, lower Beaver Creek, Birch Creek, Preacher Creek, Lower Mouth Birch Creek, Upper Mouth Birch Creek, Hodzana River, Hadweenzic River.

The Service requests the State recognize the pending applications for reservations of water in the planning process.

- The Service recommends that the Northeast Area Plan identify how the DNR will comply with the Wild and Scenic Rivers Act (WSRA). The National Wild and Scenic Rivers System (NWSRS) was created by Congress in 1968 through passage of the Wild and Scenic Rivers Act (WSRA, Public Law 90-542 as amended; 16 U.S.C. 1271 et seq). Title VI of ANILCA amended the WSRA and designated 25 wild and scenic rivers in Alaska. The following four designated rivers are in the planning area: Birch Creek (administered by BLM), Beaver Creek (Service co-administers with BLM), and the Sheenjek and Wind Rivers (administered by the Service).

Section 10(a) of the WSRA mandates that the administering agency for each river in the

NWSRS be managed with the goal of protecting and enhancing the river's values including the river's free-flowing condition, water quality, and the river-related resource values that have been found to be outstandingly remarkable for each wild and scenic river (WSR).

Section 3(d)(1) of the WSRA mandates preparation of a Comprehensive River Management Plan (CRMP) for each WSR. During the life of the Northeast Area Plan, CRMPs will be initiated or developed for the WSRs adjacent to the planning area. In the absence of a plan, however, activities along the river that could affect any river value is nonetheless required to be managed based on the statutory "protect and enhance" standard.

Section 7(a) of the WSRA mandates that proposed water resources projects below, above, or on a stream tributary to a designated river are evaluated as to their potential to invade the designated river area or unreasonably diminish the scenic, recreational, fish or wildlife values of the designated river.

- The Service recommends the State review the Water Resource Inventory and Assessment reports for Yukon Flats NWR, Arctic NWR, and Kanuti NWR while drafting the plan.

The Water Resource Inventory and Assessment (WRIA) is a compilation of water resource information at both the refuge scale and it's Region of Hydrologic Influence (defined as the area(s) upstream/up gradient or downstream/down gradient from refuge lands and relevant to stewardship of the refuge's aquatic habitats). The inventory summarizes information from available resources that provide an inventory of what is known about aquatic habitats on each refuge, an assessment of current conditions, and future issues of concerns. The WRIA reports are a highly detailed reference that inform aquatic habitat stewardship and planning efforts at the refuge and regional scale.

Links to the WRIA reports are below:

[Yukon Flats NWR WRIA](https://ecos.fws.gov/ServCat/DownloadFile/219926) – <https://ecos.fws.gov/ServCat/DownloadFile/219926>

[Arctic NWR WRIA](https://ecos.fws.gov/ServCat/DownloadFile/231620) – <https://ecos.fws.gov/ServCat/DownloadFile/231620>

[Kanuti NWR WRIA](https://ecos.fws.gov/ServCat/DownloadFile/111617) - <https://ecos.fws.gov/ServCat/DownloadFile/111617>

Yukon Flats National Wildlife Refuge

- The Yukon Flats National Wildlife Refuge was established in ANILCA Section 302(9)(B), which states: The purposes for which the Yukon Flats National Wildlife Refuge is established and shall be managed include--(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, canvasbacks and other migratory birds, Dall sheep, bears, moose, wolves, wolverines and other furbearers, caribou (including participation in coordinated ecological studies and management of the Porcupine and Fortymile caribou herds) and salmon; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in

subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

- The Yukon Flats National Wildlife Refuge comprehensive conservation plan (CCP) was completed in 1987 and compatibility determinations have been completed for common public uses authorized by the CCP. Overall, the management category for the Refuge is minimal management. The first step in developing the comprehensive conservation plan for the Yukon Flats Refuge was to collect information. Field inventories, remote sensing, and literature searches produced information about refuge resources and uses. Public meetings, workshops, and other means were used to learn of what people were concerned and what they felt should be done on the refuge. All available information was then analyzed with the help of resource specialists from several agencies and the private sector, to identify special values, problems, and issues as required by ANILCA. Special values of the refuge which were identified during the planning process include: the White Mountains, the Yukon River and its tributaries, the Yukon Flats, the Black [Draanjiik] River country and its lynx habitat, and the overall size and configuration of the refuge which includes several entire watersheds. Seven potential problems affecting fish and wildlife resources were identified for the Yukon Flats Refuge: development and use of extensive refuge inholdings; *development and use of lands adjacent to the refuge* [emphasis added]; the lack of data on wildlife populations, habitats, and their uses; fire suppression and its effects on fish and wildlife habitats; *water pollution problems on Birch Creek* [emphasis added]; management of migratory fish populations; and difficulties in managing the refuge with current staffing and funding levels. Issues of concern to the public included *access and transportation* [emphasis added]; trapping; hunting and fishing on the refuge; management of refuge habitats; predator control; fire and its impacts on wildlife; the need for cabins; cutting of trees for various uses; wilderness designation of refuge lands; recreational use of the refuge; private inholdings; *mining and its effects on the refuge* [emphasis added]; oil and gas development; and management of the refuge. While it's been approximately 37 years since the CCP was completed, many of the same concerns remain with some exacerbated by a warming climate.
- The National Wildlife Refuge System Administration Act, as amended, provides direction for management of national wildlife refuges, including Yukon Flats National Wildlife Refuge. The National Wildlife Refuge System Administration Act provides authority, guidelines and directives for the Service to improve the National Wildlife Refuge System; administers a national network of lands and waters for the conservation, management, and restoration of fish, wildlife and plant resources and habitat; ensures the biological integrity, diversity, and environmental health of refuges is maintained; defines compatible wildlife-dependent recreation as appropriate general public use of refuges; establishes hunting, fishing, wildlife observation and photography, and environmental education as priority uses; establish a formal process for determining compatible uses of refuges; and provide for public involvement in developing comprehensive conservation plans for refuges. Fulfillment of the Administration Act can be influenced by activities

that occur on or in adjacent lands and waters administered by the State of Alaska and others.

- We recommend DNR engagement with federal partners early in the planning process to achieve both DNR and Federal objectives while still meeting State and Federal water quality standards. We request the Area Plan reflect a balance of human use activities that ensure adequate water quality and quantity to achieve purposes for the refuge, ranging from fish and wildlife conservation, meeting international treaty obligations, and ensuring opportunities for continued subsistence uses.
- The State of Alaska has announced a future release of wood bison on state lands northeast of Circle in 2028. We encourage this Area Plan to address habitat assessment, research and monitoring objectives required to successfully meet bison management objectives identified in the State of Alaska’s wood bison release plan. We also encourage this Area Plan to address potential impacts of the release on adjoining lands and resources.
- The State of Alaska has identified RS2477 trails across the Refuge. However, no RS2477 trail claims have been adjudicated, i.e., recognized in law as a valid RS2477 claim. Current Refuge management strategy was developed through a public process in the 1980s and prohibits use of off-road vehicles except in designated areas. There are no designated areas for off-road vehicle use in the Refuge.
- Of specific concern is impaired water quality and nonfunctioning stream morphology in the planning area upstream of the refuge. Impaired water quality and nonfunctioning stream geometry can have adverse downstream effects on subsistence user within the Yukon Flats.
- Consistent with the latest reports regarding extreme weather from the Intergovernmental Panel on Climate Change, new research reveals that out of 50 US cities, Fairbanks, Alaska, has seen the greatest increase in hourly rainfall intensity since 1970. Therefore, we encourage strategies in the Area Plan that recognize and address an actively changing environment, place high value on maintaining resilient ecological features and functions, and identify existing sources of environmental degradation while seeking collaborative solutions with all affected management bodies.
- We recommend the following management actions to water quality issues on lands managed by DNR:
 - Incorporate current information and trajectories for permafrost thaw, rainfall, snowfall, air and soil temperatures, wildfires, etc.
 - Document the presence of “orange streams” in the planning area. Orange streams “...are a result of iron and trace metal mobilization from thawing soils to streams...” O’Donnell et al. 2024. Metal mobilization from thawing permafrost to aquatic ecosystems is driving rusting of Arctic streams. <https://rdcu.be/dRCvY> Water quality in these orange streams can be impaired. Release of geochemicals into streams coupled with active and past instream placer mining source and non source pollution,

- could adversely impact water quality of waters flowing into the refuge. Observed locations of orange streams in the planning area, as of April 2024, are depicted in this [map](#) from the National Park Service.
- Evaluate tributary streams within the Birch Creek watershed for potential restoration (where state mining claims have been extinguished)
 - Develop measurable objectives for stream restoration to achieve water quality standards and a corrective plan for when water quality parameters exceed thresholds
 - Monitor water quality routinely
 - Provide water quality that exceeds the lowest legal threshold
 - Implement nondiscretionary best management practices on state mining sites for water quality
 - Reclaim state mined sites (including use of active revegetation) to stabilize stream banks, reconnect floodplains, and restore streams; and
 - Use best management practices to conduct repeat evaluation of mined sites to see if they have regained their function
- Since the refuge and its communities are central to this Area Plan we request close coordination with USFWS staff throughout the planning process.
 - What management actions does the State propose in the plan to repair impaired streams in a timely manner given that upper Birch Creek, its tributaries and streams in the Crooked Creek watershed are still being mined? Consider implementing similar stream restoration and active reclamation techniques now being used by the BLM and partners.
 - Crooked, Boulder, Deadwood, Ketchum, Eagle, Gold Dust and Birch Creek streams are Category 4a Impaired streams. USFWS is curious how and when the State will address these impaired water bodies, especially since these impaired waters flow into Birch Creek WSR and the refuge. Not only are these impaired waters degrading the receiving waters of Birch Creek Wild and Scenic River, but they may also be degrading downstream water quality and aquatic habitat on the refuge.
 - Recommend the State address water quality in the Birch Creek (Ikhènjik) watershed as it relates to past and present mining.
 - The BLM Eastern Interior Steese ROD and Approved RMP and the Ikhènjik River Watershed Management Plan identified High Priority Restoration Watersheds that encompass North Fork Birch Creek, Harrison Creek and its forks and Twelve Mile Creek. We encourage the State coordinate with the BLM to restore these high priority watersheds.
 - The State has an opportunity to consider results from a BEACONS (Boreal Ecosystem Analysis for Conservation Networks) project conducted over the northwest boreal region which encompasses much of the State’s Northeast planning area. This landscape-based management design includes consideration of areas where it makes sense to have intense development and areas that could be managed to protect desired game species such as caribou, Dall sheep, and moose populations and their annual use areas. For caribou these

would be areas that encompass caribou winter forage; calving, post-calving (including mineral licks), summer (including insect-relief), pre-calving and winter habitats, as well as migration corridors. For moose, important habitats include winter range, willow shrub habitats, riparian, calving and rutting areas and movement corridors. And Dall Sheep require their wintering, calving, mineral licks and movement corridors be protected from surface disturbance. We recommend the State identify important use areas and habitat and foraging needs of game species prior to considering location of future development nodes and travel that could adversely affect wildlife populations.

- How will the State address erosion from OHVs in streams and outside of streams?
- Recommend the State develop a travel management plan to address access across the planning area with consideration of anadromous streams, wildlife corridors and core calving/lambing, mineral licks and wintering grounds of caribou and Dall sheep.
- How does the State plan to address cleanup of contaminated sites identified by the ADEC and shown in Figure 3-2 in the Ikhèenjìk River Watershed Management Plan? What actions will the State take to prevent future contaminated sites?

Arctic National Wildlife Refuge

- Refuge Purposes: ANILCA established four purposes for the Refuge (including lands and waters in the original Range):
 - (i). to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, the Porcupine caribou herd (including participation in coordinated ecological studies and management of this herd and the Western Arctic caribou herd), polar bears, grizzly bears, muskox, Dall's sheep, wolves, wolverines, snow geese, peregrine falcons and other migratory birds and Arctic char and grayling;*
 - (ii).to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;*
 - (iii). to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and to ensure,*
 - (iv). to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the Refuge.*
- The Arctic National Wildlife Refuge finalized its Comprehensive Conservation Plan/Environmental Impact Statement in 2015 through the signing of a Record of Decision. This plan provides management direction for all lands and waters within the boundaries of Arctic Refuge. The Service requests the NEAAP considers the CCP.
- Public Land Order 2214 established the original Arctic National Wildlife Range “for the purpose of preserving unique wildlife, wilderness and recreational values....” A portion

of the original Range is within the NEAAP planning area. These pre-ANILCA purposes apply only to those lands and waters in the original Range, and they remain in force and effect only to the extent they are not inconsistent with ANILCA or the Alaska Native Claims Settlement Act (ANILCA Section 305; 603 FW 2.8).

- The Wilderness Act of 1964 (Public Law 88-577) creates the following additional purposes for the designated Wilderness area in the Refuge’s boundaries; these purposes are within and supplemental to the Refuge’s ANILCA and Range purposes: secure an enduring resource of Wilderness; protect and preserve the Wilderness character of areas in the National Wilderness Preservation System (NWPS); administer the NWPS for the use and enjoyment of the American people in a way that will leave these areas unimpaired for future use and enjoyment as Wilderness; and gather and disseminate information regarding the use and enjoyment of Wilderness areas.
- The Arctic National Wildlife Refuge (NWR) has approximately 8 million acres of designated Wilderness, part of which is within the NEAAP planning area. The Service recommends the State consult with Arctic NWR on planning activities within designated Wilderness. The Wilderness Act of 1964 (PL 88-577) guides Arctic NWR activities within designated Wilderness.
- The Arctic NWR consults and collaborates with affected Villages within the NEAAP planning area. The Arctic Village Sheep Management Area is a management unit with specific significance to affected Villages in the NEAAP planning area. The Service recommends continued consultation with Tribes.
- Climate change and climate adaptation continue to challenge Arctic NWR in our own planning efforts. Current issues affecting the Arctic NWR include the occurrence of “orange rivers”. The Service recommends continued collaboration with Arctic NWR through the NEAAP planning process to address climate change and climate issues encountered.

Thank you for the opportunity to provide input on the future development of the Northeast Alaska Area Plan. We look forward continued engagement with the ADNR throughout the planning process and in future assessments of the anticipated impacts of ADNR’s land use decisions. For any further questions or clarification, please contact the station managers at Yukon Flats and Arctic National Wildlife Refuges, or the designated staff listed below.

Sincerely,

Jimmy Fox, Yukon Flats NWR, Refuge Manager jimmy_fox@fws.gov

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September 6, 2024

Mr. Rob Earl
Natural Resource Specialist
Northeast Alaska Area Plan (NEAAP)
Department of Natural Resources
550 W. 7th Ave., Suite 1050
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Comments submitted electronically via email to: neaap.comments@alaska.gov.

Dear Mr. Earl,

Thank you for providing Doyon, Limited (Doyon) the opportunity to provide these comments to the Alaska Department of Natural Resources (DNR) during the initiation of the planning process for the Northeast Alaska Area Plan (NEAAP). This planning process and subsequent final plan is a matter of substantial economic, historical, and cultural importance to Doyon and our shareholders. Doyon's mission is to continually enhance our position as a financially strong Native corporation in order to promote the economic and social well-being of our shareholders and future shareholders, to strengthen our Native way of life, and to protect and enhance our land and resources.

Doyon is one of the twelve landowning Alaska Native regional corporations established by Congress under the terms of the Alaska Native Claims Settlement Act (ANCSA). Chartered under state law, and headquartered in Fairbanks, Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of just under 12.5 million acres.

When adopted, the NEAAP will serve as the basis for management of state land and waters for approximately 4.5 million acres of state-owned and state-selected lands within the plan boundary. Doyon owns substantial interests in lands in the NEAAP planning area and has selected substantial additional acreage in the planning area under ANCSA. Doyon holds ownership interest in approximately 2.6 million surface acres, 3.7 subsurface acres, and has selected an additional 180,000 acres in the planning area.

Doyon's Comments:

Traditional and Customary Uses

The final plan must fully respect rights to engage in customary and traditional uses and ensure continued access for subsistence uses. For thousands of years, Alaska Natives in the planning area have depended upon wild plants, fish, and animals for subsistence. Subsistence activities remain an important part of traditional Native culture in the planning area and are a primary source

of nutrition for residents of Alaska Native villages. The final plan must ensure that subsistence uses and access to subsistence resources be protected.

Wood Bison Habitat

Doyon does not support the establishment of new herds in the Lower Tanana and Yukon Flats areas, especially as it is being presented under Alaska Department of Fish and Game's (ADF&G) management framework. Doyon requests that DNR not classify lands as wood bison habitat in this plan. Doyon has agreed to continued populations of wood bison being released in the Innoko area to supplement the wood bison population there. Doyon supports the continued management and study of the Innoko herd in lieu of the establishment of new herds. However, Doyon continues to monitor the impacts over the life of the Innoko herd before making decisions about introducing herds in other areas of the Doyon region. There are many unknowns in this process, and Doyon recommends discussions of establishing new herds to pause until populations reach an appropriate threshold and a successful hunt has occurred with the Innoko herd.

Management of RS 2477 and 17(b)s

Doyon urges DNR to coordinate management of RS 2477 and 17(b)s with Doyon, where Doyon is an adjacent or underlying landholder. Doyon will reserve the opportunity to recommend restrictions to certain RS 2477s within the planning area that cross Doyon lands.

State Land Disposals

Doyon recommends DNR engage in coordination and communication with local communities and villages in the planning area when identifying lands available for sale/land disposals, lands available for "general use," as well as lands in the planning area with other identified purposes. Many communities within the Doyon region have developed local land use plans. Many of these plans are intended to guide decisions that can inform DNR, and some are specific to limiting trespass of private property, including Native Allotments and Alaska Native corporation lands.

Trespass

Doyon has an interest in limiting trespass on Doyon lands, and firmly believes the public has an obligation and the opportunity to research land status before hunting trips. Doyon asks that DNR account for trespass implications of land classifications provided in their plan.

Doyon's FiberOptic Project

The NEAPP planning area encompasses Doyon's portion of the Alaska FiberOptic Project, which includes the installation of fiber, connecting Alaskan communities. This project includes ROW across Alaska state owned lands. Doyon insists that DNR's land classifications not impede the work done on this important project.

In 2022, the National Telecommunications and Information Administration (NTIA) awarded Doyon, Limited a competitive grant to install a fiber-optic network connecting five villages in the Doyon region to affordable broadband service. Fiber-optic cable will be installed to each home in the communities. Community institutions such as schools, clinics, tribal and village corporation offices, stores, and businesses will also be connected. The Yukon River project's fiber line will travel from Fairbanks, flanking the Elliot Highway to the Yukon River Bridge. From the bridge, fiber will be

embedded in the channel of the Yukon River upstream to Fort Yukon, and downstream to Tanana, connecting both communities as well as Beaver, Stevens Village, and Rampart.

Exploration for Oil and Gas and Minerals on Doyon Lands

The NEAPP planning area encompasses Doyon's Wiseman's properties, where there are leases for active mineral exploration projects. Doyon encourages DNR to provide for access to Doyon's natural resources in classifying their lands.

East Wiseman is an early-stage base metal and gold exploration agreement with Wiseman Metals. The agreement was signed in March of 2022. This project includes over 290,000 acres of Doyon Surface and Subsurface lands. Exploration is ongoing, in 2022 an extensive soil sampling campaign and 22 shallow Reverse Circulation (RE) drill holes were completed. In 2023 Geological mapping and an additional 16 holes were drilled. Exploration on East Wiseman is currently focused on copper.

West Wiseman is an early-stage base metal and gold exploration agreement with Wiseman Metals. The Agreement was signed in November of 2022. The property includes 74,880 acres of surface and subsurface lands. A small amount of reconnaissance work was done in the summer of 2023. More information about these projects at <https://www.wisemanmetals.com/>.

The NEAPP planning area encompasses Doyon's properties in the Yukon Flats, where there are leases for active oil and gas exploration projects. In 2019, Doyon and Hilcorp Alaska (Hilcorp) signed an agreement for exploration on 1.6 million acres of Doyon and village corporation subsurface land in the Yukon Flats subregion. More information can be found about this project at <https://www.doyon.com/yfexploration/>.

In closing, Doyon looks forward to staying engaged in the land planning process and the development of the final plan. Please contact the Doyon Lands department with any questions about these comments at 907-459-2030.

Sincerely,



Sarah E. Obed
SVP, External Affairs
Doyon, Limited