

STATE OF ALASKA

SARAH PALIN, Governor

ANILCA IMPLEMENTATION PROGRAM Office of Project Management and Permitting

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March 28, 2008

Glen Yankus
National Park Service
240 West 5th Avenue
Anchorage, AK 99501

Dear Mr. Yankus:

The State of Alaska received the Environmental Assessment (EA) regarding the proposed expansion of the remote automated weather station network in three of the Southwest Alaska Network Parks: Kamai National Park and Preserve (KATM), Kenai Fjords National Park (KEFJ), and Lake Clark National Park and Preserve (LACL). The following consolidated state agency comments cover Alaska National Interest Lands Conservation Act (ANILCA)-related issues and other state interests, excluding coastal zone management, which will be addressed, as applicable, by the Alaska Department of Natural Resources, Division of Coastal and Ocean Management.

The State supports the proposal to establish these additional network stations to facilitate collection of climatological data and appreciates the thorough discussion in the EA of the associated benefits to researchers and the Park Service in fulfilling its management responsibilities. Although we do not expect the outcome of the EA to be affected by the following clarifications, they are included for consideration with this proposed action as well as for future reference by the Service.

Laws, Regulations, and Policies: While we recognize ANILCA Section 1310(b) is referenced as supporting legislation for the proposal in the Minimum Requirements Decision Guide (Appendix B), it would have also been appropriate to include it in the *Laws, Regulations, and Policies* section of the EA, under the ANILCA subsection on page 9.

Section 4.4.1 Wildlife, Cumulative Impacts: While we found correct references in the document that clarify where hunting is allowed in LACL, the following sentence on page 51 incorrectly implies that subsistence hunting is only allowed in the preserve. “*Subsistence and sport hunting are not permitted on KEFJ lands, but are permitted in the KATM and LACL preserves.*” For future reference, we also request that “*sport*” not be used to describe general hunting under state management, which is not segregated by type. This term is no longer used in Alaska Department of Fish and Game regulations. (The term “*sport fishing*” however, is used in state regulations.)

ANILCA Section 810 Analysis: While we agree with the finding that the proposed action would not result in a restriction of subsistence uses, we felt the following comments warranted mention.

- The 810 Analysis does not appropriately recognize the state’s role in management of subsistence harvest of fish and wildlife. The fact that the Federal Subsistence Board has the ability to supersede state regulations on federal lands and waters does not mean that state regulations no longer apply, as the current discussion implies. For future reference in subsequent ANILCA 810 Analyses, we request such recognition. The following examples illustrate where state management is not accurately portrayed or recognized in this analysis:
 - Page 67, LACL: this discussion includes an unnecessary distinction between “*federal subsistence uses*” and “*state authorized... activities*” and would have been more accurate if stated: “*The national preserve is open to hunting, trapping and fishing activities, including for subsistence purposes.*”
 - Page 69, (c) Habitat Loss: This section refers exclusively to “*Federal regulations*” and “*Federal managers*” without recognition of corresponding state regulations and state management.
- The KATM section (page 64, last paragraph) indicates the taking of fish of wildlife for subsistence purposes is allowed pursuant to ANILCA Section 203. It would have been more appropriate to also reference Title VIII, as Section 203 only addresses hunting.
- The KATM and KEFJ discussions reference subsistence uses occurring on adjacent federal lands without explanation or apparent connection to the analysis (Page 66, first paragraph and Page 67, second and third full paragraphs). Unless there is a specific purpose for doing so, to avoid confusion we suggest not including this type of information in future 810 Analyses.

Consistent with our March 26, 2008 comment letter on the Bering Land Bridge Shishmaref Relocation Project EA, we request the opportunity to work with the Service on fine-tuning the Subsistence 810 Analyses for future EAs since it appears that some of the boilerplate language would benefit by minor revisions and clarifications.

Thank you for this opportunity to comment. If you have any questions, please contact me at (907) 269-7529.

Sincerely,



Susan E. Magee
ANILCA Project Coordinator

cc: Sally Gibert, ANILCA Program Coordinator