

file
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July 17, 1987

Mr. Walter Steiglitz
Regional Director
U.S. Fish & Wildlife Service
1011 E. Tudor Road
Anchorage, AK 99503

Dear Mr. Steiglitz:

The State of Alaska has reviewed the final Comprehensive Conservation Plan/Environmental Impact Statement/Wilderness Review (CCP) for the Kanuti National Wildlife Refuge. This letter is submitted on behalf of state agencies and represents a consolidation of state comments and concerns.

We wish to commend the U.S. Fish and Wildlife Service (FWS) for its significant efforts to address the bulk of the state's previous comments. We especially wish to express appreciation to the Team Leader for this plan, Leslie Kerr, and the Refuge Manager, Ervin McIntosh, for doing a good job of involving state agency staff in the preparation of this CCP.

State agencies have a few technical comments regarding the final Kanuti CCP which are being conveyed for your information under separate cover. This letter, therefore, focuses on remaining concerns which the state requests be addressed in the upcoming Record of Decision.

Wildlife Habitat Manipulation

Consistent with previous state comments for other refuge plans regarding this wildlife management tool, we request that the ROD include the following language for all refuge lands, regardless of management classification: "May be permitted on a case-by-case basis, subject to the provisions of NEPA and a compatibility determination." It is important to retain the option to conduct wildlife habitat modification if it becomes necessary in order to protect, maintain, restore, or extend wildlife populations.

Intercept Harvest of Fish

We previously noted that this section (pages 13-14) indicates that a potential problem exists with intercept harvests on the Kanuti refuge. The state knows of no specific data which support this view. The FWS has apparently interpreted the report by Buklis and Barton (1984) as substantiating this view for the Koyukuk River,

although the report does not actually address this river system. We urge the FWS to clarify this point in the ROD by acknowledging that no specific information on intercept harvests within the refuge exists.

Pack Animals

We note that the topic of pack animals was not included in the management summary table and, therefore, request that it be addressed in the ROD. Consistent with our requested language for other plans, we request that the topic description include all types of traditionally used pack animals, including dogs. The management direction under all management categories should read: "Permitted subject to reasonable site-specific closure regulations to protect natural resources."

The general use of pack animals is expressly authorized in the Alaska National Interest Lands Conservation Act (ANILCA) section 1110(a) and 811. Also, 50 CFR 36.21(b) authorized use of "surface transportation methods such as domestic dogs, horses, and other pack or saddle animals . . . except where such use is prohibited or otherwise restricted by the refuge manager in accordance with the provisions of 50 CFR 36.42." We believe the criteria established in those regulations allow the refuge manager adequate flexibility to regulate the use of pack animals to protect the integrity of natural resources, while still allowing for traditional and environmentally-compatible use of such animals.

Fish and Wildlife Management

The discussions on pages 126, 141, 146, and 150 regarding the management of fish and wildlife populations include new text not published in the draft; this new text could create the impression that the FWS will be managing populations independently from the Department of Fish and Game (DFG). We request that the ROD include specific wording that parallels that language in the Master Memorandum of Understanding between the FWS and DFG and that addresses concerns on the pages mentioned above. We suggest the following wording:

The Service will manage fish and wildlife populations in cooperation with the DFG, recognizing the Department as the agency with the primary responsibility for managing fish and resident wildlife in the state. In general, provisions in refuge management plans will be in substantial agreement with DFG's management plans, unless such plans are formally determined to be incompatible with the purposes of the refuge. In such cases, planning efforts for management of fish and wildlife resources on refuge lands will be closely

coordinated with the state so that potential conflicts are minimized.

In addition, the statement on page 127 (paragraph 6) implies that hatchery introductions will not be allowed. Such a policy would be inconsistent with the management provisions on page 120. We request that the ROD clarify that while natural reproduction is the preferred method of maintaining fish populations, hatchery introductions, if needed, will not be precluded. We suggest language similar to the following: "Fisheries will be managed in cooperation with the DFG to emphasize natural reproduction of species over artificial means."

Oil and Gas

Consistent with recent comments on other refuge CCPs, the state wishes to reiterate previous comments concerning the process used for making decisions regarding oil and gas leasing. (See state letter for Selawik Draft CCP dated December 23, 1986). In particular we are concerned about the "core minimal management" concept. However we are pleased to note that the Kanuti document (page 133, paragraph 6) acknowledges the need for additional consultations with the state and other interested parties prior to preparation of a compatibility determination for oil and gas leasing.

Generic Language

In recent months, the state and the FWS have discussed generic language addressing a number of management topics. We note that in some cases the generic language does not appear in the final Kanuti CCP (presumably due to publication deadlines). Consequently, we request that the ROD include the most current mutually acceptable language. Rather than reiterating the language here, the following indicates what sections need to be updated and indicates where the more recent version can be found. We have used the Innoko draft CCP as a reference.

- * Kanuti page 126: Historic Roads and Trails - See Innoko page 121 for correct language regarding RS 2477 Rights-of-Way.
- * Kanuti page 125: ANCSA Section 17(b) Easements - See Innoko page 122 for final version.
- * Kanuti page 137: Navigable Waters and Water Column - See Innoko page 118 for appropriate discussions of "Shorelands, Tidelands and Submerged Lands" and "Management of the Watercolumns."

The discussion of water rights on pages 135-136 is largely adequate with the exception of the phrase "reasonable amount of water reasonably necessary . . ." The state has alternatively requested the following substitute language: "minimum amount of water

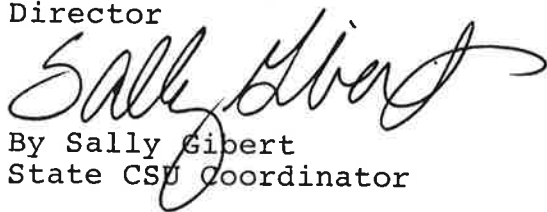
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necessary . . ." It is acknowledged by both the state and the FWS that this issue will likely be resolved outside the CCP planning process. The state, however, wishes to stay on record that the substitute language above should be used in all CCPs, and that the state will continue to seek an appropriate FWS definition of federal reserve water rights.

We appreciate the opportunity to review the final CCP for the Kanuti National Wildlife Refuge. If you have any questions regarding these comments, please do not hesitate to call this office. We look forward to reviewing the upcoming Record of Decision.

Sincerely,

Robert L. Grogan
Director



By Sally Gibert
State CSU Coordinator

cc: Commissioner Judith Brady, DNR
Commissioner Don Collinsworth, DFG
Commissioner Dennis Kelso, DEC
Commissioner Mark Hickey, DOT/PF
Mr. John Katz, Office of the Governor
Mr. Rod Swope, Office of the Governor
Alaska Land Use Council Members
Land Use Advisors Committee Members

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Title: Kanuti Final CCP State Letter

- [1272] Mr. Mike Abbott, Resource Development Council, Anchorage
- [1304] Ms. Susan Alexander, The Wilderness Society, Anchorage
- [1266] Ms. Gail Baker, U.S. Fish & Wildlife Service, Anchorage
- [1317] Dr. Robert Baker, Anchorage
- [1312] Mr. James Barkeley, Esq., Land Use Advisors Committee, Anchorage
- [1252] Mr. Michael Barton, U.S. Forest Service, Juneau
- [1037] Ms. Joyce Beelman, Department of Environmental Conservation, Fairbanks
- [1] Mr. Jay Bergstrand, Department of Transportation and Public Facilities, Anchorage
- [120] The Honorable Judy Brady, Department of Natural Resources, Juneau
- [1372] Mr. Al Carson, Department of Fish and Game, Anchorage
- [248] The Honorable Don Collinsworth, Department of Fish and Game, Juneau
- [1373] Mr. Donald D'Onofrio, National Ocean Service, Anchorage
- [1293] Mr. Bart Englishoe, Land Use Advisors Committee, Anchorage
- [1286] Mr. Boyd Evison, National Park Service, Anchorage
- [1117] The Honorable Jan Faiks, Anchorage
- [975] Mr. Darryl L. Fish, Bureau of Land Management, Anchorage
- [203] Mr. Peter Freer, Department of Community and Regional Affairs, Juneau
- [1263] Mr. Joseph W. Geldhof, Department of Law, Juneau
- [1407] Mr. Harold Gillam, Land Use Advisors Committee, Fairbanks
- [944] Mr. Clay Hardy, U.S. Fish & Wildlife Service, Anchorage
- [1268] The Honorable Mark Hickey, Dept. of Transportation & Public Facilities, Juneau
- [1406] Reverend J. Michael Hornick, Land Use Advisors Committee, Anchorage
- [1413] Mr. Clark Horton, Federal Aviation Administration AAL-4, Anchorage
- [1271] Ms. Sharon Jean, Land Use Advisors Committee, Soldotna
- [444] Mr. John Katz, Office of the Governor, Washington, D.C.
- [1288] The Honorable Dennis Kelso, Department of Environmental Conservation, Juneau
- [1267] Ms. Leslie Kerr, U.S. Fish & Wildlife Service, Anchorage
- [1298] Dr. John Choon Kim, Land Use Advisors Committee, Anchorage
- [1270] Mr. Larry Kimball, Alaska Federation of Natives, Anchorage
- [1275] Mr. Jim Kowalsky, Tanana Chiefs Conference, Fairbanks
- [1250] Mr. Stan Leaphart, Citizens Advisory Commission on Federal Areas, Fairbanks
- [937] Ms. Janie Leask, Alaska Federation of Natives, Anchorage
- [1243] Mr. Robert LeResche, Alaska Power Authority, Anchorage
- [1258] Mr. Craig Lindh, Division of Governmental Coordination, Juneau
- [1254] Mr. Joe Mazzoni, U. S. Fish & Wildlife Service, Anchorage
- [945] Ms. Janet McCabe, National Park Service, Anchorage
- [946] Mr. Ron McCoy, Alaska Land Use Council, Anchorage
- [1400] Ms. Cynthia Meyer, Division of Governmental Coordination, Juneau
- [1269] Mr. Mike Mitchell, Alaska State Library, Juneau
- [1316] Mr. Barry Moorhead, Federal Highway Administration, Juneau
- [947] Mr. Ron Morris, U.S. Department of Interior, Anchorage
- [499] Mr. Donald Nielsen, Bristol Bay Native Corporation, Anchorage
- [1244] Capt. James R. Nutgrass, Department of Public Safety, Anchorage

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- [1408] Mr. Richard Ogar, ARCO Alaska, Inc., Anchorage
- [469] Mr. Larry Ostrovsky, Department of Natural Resources, Juneau
- [1290] Ms. Debra Oylear, Division of Governmental Coordination, Anchorage
- [1287] Mr. Michael J. Penfold, Bureau of Land Management, Anchorage
- [1279] Mr. Gerald Rafson, Dept. of Transportation & Public Facilities, Fairbanks
- [1409] Mr. John Rense, NANA Development Corporation, Anchorage
- [1273] Mr. Randy Rogers, Northern Alaska Environmental Center, Fairbanks
- [1299] Mr. Wayne Ross, Land Use Advisors Committee, Anchorage
- [87] Dr. Lidia Selkregg, Land Use Advisors Committee, Anchorage
- [1378] Mr. Thyas Shaub, Department of Commerce and Economic Development, Juneau
- [948] Mr. Walt Sheridan, U. S. Forest Service, Juneau
- [60] Mr. Jim Stratton, Land Use Advisors Committee, Juneau
- [22] Mr. Rod Swope, Office of Management and Budget, Juneau
- [1377] Mr. Len Vining, Department of Fish & Game, Anchorage
- [1242] Mr. Ike Waits, Department of Community & Regional Affairs, Anchorage
- [1239] Mr. Rob Walkinshaw, Department of Natural Resources, Anchorage
- [940] Mr. Vernon R. Wiggins, Alaska Land Use Council, Anchorage
- [1240] Mr. Dan Wilkerson, Department of Environmental Conservation, Anchorage
- [994] Mr. Geoff Wistler, Department of Commerce and Economic Development, Juneau