

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

STEVE COWPER, GOVERNOR

STATE CSU COORDINATOR  
2600 DENALI STREET, SUITE 700  
ANCHORAGE, ALASKA 99503-2798  
PHONE: (907) 274-3528

August 29, 1988

Mr. Walter O. Stieglitz  
Regional Director  
U.S. Fish and Wildlife Service  
1011 East Tudor Road  
Anchorage, Alaska 99503

Dear Mr. Stieglitz:

The State of Alaska has reviewed the U.S. Fish and Wildlife Service (FWS) Draft Supplemental Environmental Impact Statement (EIS) and Wilderness Proposal for the Alaska Peninsula National Wildlife Refuge. The following letter is submitted on behalf of state agencies and represents a consolidation of state concerns and comments.

Based on information contained in the draft EIS, the state does not object to the current Alaska Peninsula Wilderness proposal. We note that this proposal has been substantially reduced from approximately 1.9 million acres (as recommended in the final Alaska Peninsula Comprehensive Conservation Plan) to 600,000 acres. The state supports this reduction. We further note that all known areas of moderate to high oil and gas potential have been excluded from the proposal.

### CRITERIA

The following list, prepared by the State of Alaska, identifies uses, activities, and structures which may be affected by Wilderness designation. The state requests that the final EIS include a statement which 1) indicates whether there are areas proposed for Wilderness that meet any of the listed criteria and 2) if so, clearly describes the effect of Wilderness on them and provides compelling reasons for including them in the proposed action. We recognize that several of these uses are considered in the EIS; however, we believe each are "significant issues" which need to be addressed. If the FWS is not willing to expand the discussions on pages 4-7 to address each of the listed items, we request that the FWS's response to state comments include such a discussion. We note that the state provided the same list and request to the FWS on May 12, 1988, prior to preparation of this draft EIS.

1. Areas where Wilderness designation would eliminate, reduce or restrict existing uses, structures or activities that are allowed by the Alaska National Interest Lands Conservation Act (ANILCA) and are not degrading resource values;

28/csu2

2. Areas where there is a current or foreseeable interest in or need for:
  - a) FWS visitor facilities or recreational development (e.g., visitor centers, campgrounds, trails, lodges, public use cabins);
  - b) developed access (e.g., roads, airstrips, docks, helicopter landing sites);
  - c) state or federal administrative/management facilities (e.g., ranger stations, air/water quality monitoring stations, research facilities);
  - d) utility corridors or facilities (e.g., pipelines, power transmission lines, remote communications equipment);
  - e) habitat manipulation or permanent fisheries improvement facilities;
  - f) mariculture, commercial fishing, and/or oil and gas support facilities;
  - g) core sampling or seismic studies;
  - h) hydroelectric or geothermal development;
  - i) sand and gravel removal;
  - j) commercial timber harvest;
  - k) oil and gas leasing.
3. Areas with valid and/or patented mining claims;
4. Areas that have reasonable potential for inclusion in land exchanges or where unit boundaries are in dispute;
5. Areas where cabins or other structures are used for commercial (e.g., guiding or commercial fishing) or residential purposes;
6. Areas where mechanized equipment (e.g., chainsaws, generators) has traditionally been used to support commercial, recreational, subsistence, or management activities;
7. Areas immediately adjacent to roads, mining activity, recreational facilities, land with oil and gas potential or existing leases, or other existing or proposed development;

8. Areas where off-road vehicles have been traditionally used; and,
9. Areas immediately adjacent to state lands, navigable waterbodies, submerged lands, tidelands, and possible Revised Statute (RS) 2477 rights-of-way.

PAGE-SPECIFIC COMMENTS

Page 1. The draft supplemental EIS does not include an ANILCA Section 810 evaluation regarding the effects of the proposed federal action on subsistence uses and needs. ANILCA is explicit in requiring that such an evaluation be prepared for any federal action that will "withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition of public lands under any provision of law." Consequently, we request that the final EIS contain such an evaluation.

We further note that considerable new information on subsistence uses has been collected since the 810 evaluation for the 1985 Alaska Peninsula Comprehensive Conservation Plan was developed. Much of this information is referenced in the following comments. We suggest that the FWS consult this information prior to preparing an 810 evaluation for the final EIS.

Pages 4-7, Identification of Significant Issues. The discussion under "Recreational Uses" (page 15) indicates that "As a result of some refuge areas being designated wilderness, some non-resident and out of state users will be attracted and user groups will increase.... Conflict may develop between local and nonlocal users as a result of perceptions of competition for fish and wildlife resources." Based on this assessment, we believe FWS should consider "subsistence uses" a significant issue for this EIS. We request that the EIS be revised accordingly.

In addition, we note that according to the FWS' draft cabin policy, new cabins for subsistence uses (except trapping) are not allowed in wilderness. This is one example of an effect wilderness may have on subsistence uses.

Page 5, third paragraph. This paragraph indicates that the use of generators and chainsaws by guides is prohibited in designated wilderness. The state notes that FWS regulations at CFR 35.5 provide the FWS with the discretion to allow limited use of motors in wilderness, if such use was established prior to designation. In addition, we note that the Alaska Land Use Council unanimously adopted a motion at its November 24, 1987, meeting urging the FWS to maintain

flexibility to allow limited use of mechanized equipment where necessary to support traditional activities (e.g., guiding).

Page 7. We request that the discussion under "Access for Traditional Activities" reference ANILCA Section 811 access provisions.

Page 7, Access: Although ANILCA (Sections 1110 and 811) explicitly provides for motorized access in Wilderness areas, it also provides federal land managers with the authority to regulate such use. As the EIS indicates, the purpose of any regulations would be "to protect the natural and other values of the refuge." The state is concerned that wilderness designation may increase the extent to which motorized access is regulated by the FWS because such access may be seen as degrading wilderness values or diminishing opportunities for solitude and primitive recreation. We therefore suggest that access be considered a "significant issue" in the final EIS, and that FWS evaluate and clearly describe the effects of wilderness on mechanized access.

In addition, we note that the FWS has the authority to designate routes and areas on refuges where off-road vehicles can be used (50 CFR 36.22). FWS, however, may not have this authority in designated wilderness. We request that the final EIS address this issue. If FWS does not have this authority in wilderness areas, we believe that ORV use is a "significant issue" as well.

Page 11. A section of the coastline within the Chignik Unit is proposed for Wilderness designation. We request clarification regarding whether this would impact commercial fishing activities (e.g., storage of commercial fishing gear and location of support facilities).

Page 11-13. The maps of the Proposed Action show the proposed Wilderness boundaries following township lines, which are difficult to locate in the field. We request that these boundaries be drawn in the final EIS to conform with hydrographic and topographic features wherever possible, consistent with congressional intent as stated in ANILCA Section 103.

Pages 44-47, Figure 8. The state requests that the final EIS contain more readable maps. The poor scale and resolution of the maps in the draft EIS complicated review of this proposal. For example, it is difficult to distinguish between "USFWS Land--Minimal Management," "Wilderness Area," and "Native Selected" lands. Referring back to the land status map in the CCP was of little help.

Page 65, Population Composition. The following information is available from the 1980 U.S. Census Report and should be incorporated into the text concerning ethnic composition of refuge area communities: Sand Point, 57.1 percent Native; King Cove, 79.8 percent Native; Cold Bay, 4.4 percent Native; False Pass, 85.7 percent Native; and Nelson Lagoon, 93.2 percent Native. We request that the text be revised to reflect these figures.

Page 65, Table 10. The 1985 population figures in this table differ from the official 1985 state estimates as reported in "Alaska Population Overview: 1985 Estimates" (Alaska Department of Labor, Juneau, Alaska, 1987). The references, "Village Sanitation in Alaska, 1985," "Alaska Department of Community and Regional Affairs, 1988," and "Alaska Department of Labor, 1987" do not appear in the bibliography. Consequently, we were not able to refer to and evaluate these sources of information.

Page 66, first paragraph. Aleut, not Pacific Yu'pik, was the traditional Native language of Nelson Lagoon, Sand Point, King Cove, and False Pass.

Page 66, Sociocultural Systems. No source of information is cited here. (Is it Nebesky, Langdon, and Hull, 1983?) We request that all references for this section be cited.

Page 67, Subsistence Orientation. The references "Morris, 1987" and "Fall and Morris, 1987, (draft)" cited in the second paragraph should be added to the bibliography. The latter report may refer to the Alaska Department of Fish and Game (DFG) Division of Subsistence Technical Paper No. 158, which now is a final document. We assume that "Nebesky, 1983" actually refers to "Nebesky, Langdon, and Hull, 1983." The rest of the text in this section is well-written and informative.

Page 69, Perceptions, Values, and Response to Change. The second sentence in the second paragraph reads: "Those who have historically relied on a subsistence economy have some difficulty accepting change, but persons involved in commercial fishing seem to adjust more easily." We recommend that the FWS either delete this sentence, or provide supporting documentation.

Page 71, Table 11. This table is somewhat misleading, since data for communities in each of the three units are derived from different sources and may represent different years. For example, the 1985 adjusted gross income for Port Heiden is given as \$15,593 in the Alaska Department of Revenue 1988 publication, "Federal Income Taxpayer Profile, 1983-1985, by

Alaska Community and Income Level and Filing Status." This figure is more comparable with the figures provided for the Pavlof Unit communities than is the \$28,501 figure cited.

Average taxable income data for Chignik, Chignik Lagoon, and Perryville for 1978, 1981, and 1982 are presented in: Judith Morris, "Fish and Wildlife Uses in Six Alaska Peninsula Communities: Egegik, Chignik, Chignik Lagoon, Chignik Lake, Perryville, and Ivanof Bay"; DFG/Division of Subsistence Technical Paper No. 151, Juneau, Alaska, 1987; The "Alaska Department of Revenue, 1988" citation is missing from the bibliography, so it is unclear whether it is the same reference as we have cited above. It might also be useful to present cost of living figures for study area communities as a means of providing perspective on regional average household incomes. Some indices for the Aleutian Islands and Bristol Bay areas are found in the 1986 Alaska Department of Labor publication, "Alaska Cost and Income Measures."

Page 81, Subsistence, second paragraph. We request further discussion of the harvest figures presented here, especially regarding how they were developed and what constitutes an "average year." Without knowing how the figures were derived, they are difficult to evaluate.

Page 81, Subsistence, third paragraph. As reported in the Judith Morris 1987 report cited previously, residents of Port Heiden, Chignik, Chignik Lake, and Chignik Lagoon do harvest small numbers of seals and other marine mammals, and share the products (especially oil) widely.

Page 82, first full paragraph. If this discussion is derived from data presented in the Fall and Morris 1987 report cited in the preceding paragraph, then we request that:  
1) reference be made to the north Alaska Peninsula caribou herd; 2) the reporting year for harvest data be identified as June 1986 through May 1987; and 3) the Fall and Morris 1987 report be referenced as the source of information.

Page 82, second full paragraph. According to the Fall and Morris 1987 report, Ugashik residents harvested two moose, not one, in the period from June 1986 to May 1987.

Page 82, fifth paragraph. The second sentence requires clarification. The Fall and Morris 1987 report is the source of Figure 11, and portrays seasonal round information for Pilot Point, Ugashik, and Port Heiden. The Morris 1987 report cited earlier in this memo is the source of

Figure 12, and presents information for Chignik, Chignik Lake, Chignik Lagoon, Ivanof Bay, and Perryville, but not Port Heiden.

Page 85. Table 15 should include footnotes indicating that:  
1) the category "land mammals" includes edible furbearers;  
and 2) the category "birds" actually is "birds and eggs" in the Fall and Morris report.

Page 86, final paragraph. State biologists believe the caribou harvest estimates may be high, unless they derive from a year when caribou were more numerous than at present. The only source of harvest data for King Cove that we are aware of is: Stephen R. Braund, David C. Burnham, Lisa Moorehead, and Lynne Hale, "Effects of Renewable Resource Harvest Disruptions on Community Socioeconomic and Sociocultural Systems: King Cove." U.S. Minerals Management Service, Social and Economic Studies Program, Technical Report No. 123, Anchorage, Alaska, 1986. This report is not cited in the bibliography. Some basis should be provided for the harvest estimates presented.

The discussion concerning Nelson Lagoon harvest areas requires revision. The community does, in fact, use the refuge, and data confirming this appear in the "Alaska Habitat Management Guide, Southwest Region, May Atlas; (1985 publication). DFG/Division of Subsistence compiled additional mapped data for the community in the fall of 1987. Copies of these maps were provided to the FWS in April of this year.

Page 87, Table 17. This table is derived from both the "Fall and Morris, 1987" and "Morris, 1987" references cited above. Only data for Port Heiden appear in the source cited below this table. The actual caribou harvest level in Chignik Lake for the study period was 61 and not 6. The table should indicate the period of time depicted. Data for Port Heiden are based on a 100 percent sample of community households, while about 80 percent of households were interviewed in the other communities. A table on page 151 of the "Morris, 1987" report expands the caribou harvest totals to the community at large (with confidence intervals) and might be a more accurate estimate of harvest levels for all communities excluding Port Heiden. Finally, the footnote concerning harvest tags can be deleted, since the data presented in the reports used in preparing this table were collected in household interviews, and the limitations on harvest ticket data were not relevant in this instance.

Page 87, fourth full paragraph. The correct title is Institute of Social and Economic Research.

Page 96, Trapping. Some discussion of furbearer trapping and harvest levels for several refuge area communities is found in the "Fall and Morris, 1987" report cited above, although this information is not specific to the refuge.

Pages 101-110, Evaluation of Wilderness Review Units. We appreciate the FWS acknowledging uses of the three refuge administrative units for subsistence purposes by local residents.


Chapter 4, Environmental Consequences. No attention is given to the possible effects of the Proposed Action or other three alternatives on subsistence uses in this chapter. We believe the EIS should explain why this subject is not addressed, particularly in light of the absence of an ANILCA Section 810 evaluation in the document.

In our view, the EIS should include a discussion of how the proposed wilderness areas (in the context of the refuge more generally) are and have been used for subsistence purposes by local communities, including but not necessarily limited to months of use, resources harvested, modes of access, and estimates of harvest levels if possible. This information may not be available in the desired detail, but will at least allow some attempt to be made to analyze the effects of wilderness designation on subsistence.

On behalf of the State of Alaska, thank you for the opportunity to review this draft EIS. If we can be of assistance in clarifying the state's comments, please do not hesitate to call this office.

Sincerely,

Robert L. Grogan  
Director



By Michelle Sydeman  
State CSU Coordinator

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



## DISTRIBUTION LIST

August 29, 1988

- [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
- [1252] Mr. Michael Barton, U.S. Forest Service, Juneau
- [1400] Ms. Mary Bixby, Division of Governmental Coordination, Juneau
- [1490] Mr. Rex Blazer, Land Use Advisors Committee, Fairbanks
- [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
- [1491] Mr. Steve Colt, Land Use Advisors Committee, Anchorage
- [942] Ms. Tina Cuning, Department of Fish and Game, Nome
- [1373] Mr. Donald D'Onofrio, National Ocean Service, Anchorage
- [1492] Ms. Judith W. Eckholm, Land Use Advisors Committee, Juneau
- [1286] Mr. Boyd Evison, National Park Service, Anchorage
- [499] Mr. Roy S. Ewan, Ahtna, Inc., Copper Center
- [1493] Mr. Don Finney, Land Use Advisors Committee, Ketchikan
- [975] Mr. Darryl L. Fish, Bureau of Land Management, Anchorage
- [203] Mr. Peter Freer, Department of Community and Regional Affairs, Juneau
- [1407] Mr. Harold Gillam, Land Use Advisors Committee, Fairbanks
- [303] Mr. Robert L. Grogan, Division of Governmental Coordination, Juneau
- [1419] Mr. Terry Haynes, Department of Fish and Game Subsistence Division, Fairbanks
- [1268] The Honorable Mark Hickey, Dept. of Transportation & Public Facilities, Juneau
- [1494] Mr. William J. Holman, Land Use Advisors Committee, Ketchikan
- [1406] Reverend J. Michael Hornick, Land Use Advisors Committee, Anchorage
- [1271] Ms. Sharon Jean, Land Use Advisors Committee c/o Peter Gruenstein/Congress, Anchorage
- [1244] Col. Jack Jordan, Department of Public Safety, Anchorage
- [444] Mr. John Katz, Office of the Governor, Washington, D.C.
- [1288] The Honorable Dennis Kelso, Department of Environmental Conservation, Juneau
- [1297] Mr. Arthur Kennedy, Land Use Advisors Committee, Anchorage
- [1298] Dr. John Choon Kim, Land Use Advisors Committee, Anchorage
- [1270] Mr. Larry Kimball, Alaska Federation of Natives, Anchorage
- [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
- [1] Mr. Mark Mayo, Department of Transportation and Public Facilities, Anchorage
- [945] Ms. Janet McCabe, National Park Service, Anchorage
- [946] Mr. Ron McCoy, Alaska Land Use Council, Anchorage
- [847] Mr. Curtis McVee, Land Use Advisors Committee, Anchorage
- [947] Mr. Roger Mercer, National Oceanic and Atmospheric Administration, Anchorage
- [1561] LCDR Ronald L. Nelson, United States Coast Guard, Anchorage
- [1508] Rear Admiral Edward Nelson, Jr., U.S. Coast Guard District 17, Juneau

DISTRIBUTION LIST

August 29, 1988

- [1420] Ms. Kris O'Connor, Department of Natural Resources Division of Oil and Gas, Anchorage
- [1408] Mr. Richard Ogar, Land Use Advisors Committee, Anchorage
- [1290] Ms. Debra Oylear, Division of Governmental Coordination, Anchorage
- [1287] Mr. Michael J. Penfold, Bureau of Land Management, Anchorage
- [1277] Mr. Norman Piispanen, Dept. of Transportation & Public Facilities, Fairbanks
- [469] Mr. Jim Powell, Department of Natural Resources, Juneau
- [1409] Mr. John Rense, Land Use Advisors Committee, 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
- [1495] Mr. Robert Senner, Land Use Advisors Committee, Anchorage
- [1378] Mr. Thyes Shaub, Department of Commerce and Economic Development, Juneau
- [948] Mr. Walt Sheridan, U. S. Forest Service, Juneau
- [1560] Commander Douglas Smith, U.S. Coast Guard, Juneau
- [1285] Mr. Walter Stieglitz, U.S. Fish & Wildlife Service, Anchorage
- [1496] Mr. Reed Stoops, Land Use Advisors Committee, Juneau
- [22] Mr. Rod Swope, Office of the Governor, Juneau
- [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