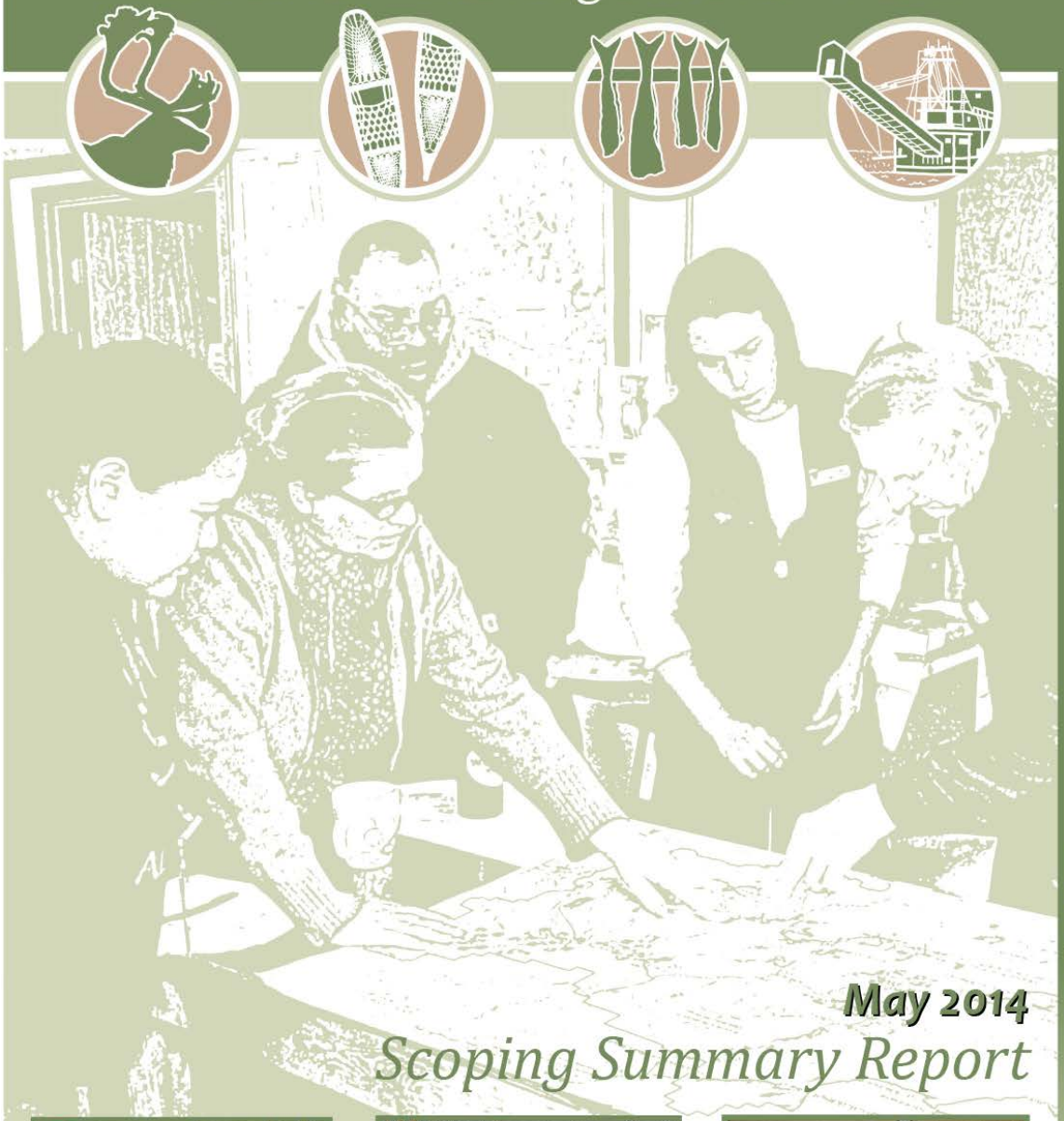
Bering Sea - Western Interior
Resource Management Plan



May 2014

Scoping Summary Report

BLM

Anchorage Field Office

BLM/AK/GI-14/006+1610+A010

Bering Sea-Western Interior

Resource Management Plan/ Environmental Impact Statement

Scoping Summary and Report

May 2014

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ACRONYMS AND ABBREVIATIONS

ACEC	Area of Critical Environmental Concern
ADEC	Alaska Department of Environmental Conservation
ADNR	Alaska Department of Natural Resources
ANCSA	Alaska Native Claims Settlement Act
ANILCA	Alaska National Interest Lands Conservation Act
ATV	all-terrain vehicle
AVCP	Association of Village Council Presidents
BLM	Bureau of Land Management
BMP	Best Management Practice
CEQ	Council on Environmental Quality
COE	U.S. Army Corps of Engineers
CSU	Conservation System Unit (as designated by ANILCA)
CWA	Clean Water Act
EIS	Environmental Impact Statement
EJ	Environmental Justice
EPA	Environmental Protection Agency
ESA	Endangered Species Act
Ft	feet
FLPMA	Federal Land Policy Management Act
FWS	U.S. Fish and Wildlife Service
G2G	Government-to-Government
GHG	greenhouse gases
INHT	Iditarod National Historic Trail
km	kilometer
LUP	land use plan
M	meter
MFP	Management Framework Plan
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
OHV	off-highway vehicle
ROW	Right-of-Way
RMP	Resource Management Plan
SHPO	State Historic Preservation Officer
SOC	Statement of Concern
Y-K Delta	Yukon-Kuskokwim Delta

1.0 INTRODUCTION

To ensure the best balance of uses and resource protections for Alaska's public lands, the Bureau of Land Management (BLM) undertakes extensive land use planning using a collaborative approach with local, state and tribal governments, Alaska Native corporations, the public, and stakeholder groups. The result is a Resource Management Plan (or RMP) with an associated Environmental Impact Statement (EIS) that establishes goals and objectives for resource management and the measures needed to achieve those goals and objectives. The RMP provides a framework to guide decisions for every action and approved use of BLM lands in a planning area. The BLM uses both terms "land use plan" or LUP synonymously with "resource management plan" or RMP.

The Bering Sea-Western Interior (BSWI) planning process began with the *Federal Register* publication of the BLM's Notice of Intent to develop the plan in July 2013. The BSWI planning area encompasses approximately 62 million acres of land in Alaska, including 10.6 million acres under the BLM's management. The planning area includes lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and lands west of Denali National Park and Preserve to the Bering Sea (see Map 1).

The BLM manages public lands in the BSWI planning area that range from small isolated parcels to large contiguous areas. To ensure all BLM-managed lands are addressed by land use plans, the BLM established planning area boundaries for the entire state. The BLM land use plans address only the BLM-managed lands within each planning area. However, the BLM considers existing plans and policies of adjacent landowners during land use planning.

The BLM currently manages lands within the BSWI Planning Area using four plans completed in the 1980's: (1) the 1981 Southwest Management Framework Plan; (2) a portion of the 1986 Central Yukon RMP; (3) the 1983 Unalakleet National Wild River Management Plan; and, (4) the 1986 Iditarod National Historic Trail Comprehensive Management Plan. The existing Southwest Management Framework Plan's age and scope, in addition to new issues required for new planning documents, prompted the BLM to prepare this new BSWI RMP with its associated environmental impact statement or EIS for the planning area. The EIS provides a comprehensive evaluation of the environmental issues and impacts in a planning area.

A new planning process is also currently underway for a new Central Yukon RMP/EIS. Decisions from the Unalakleet and Iditarod National Historic Trail plans will remain in effect unless the BSWI RMP process updates a specific decision or until the BLM addresses these decisions through future updates to those two plans.

BLM directives and guidance have evolved considerably since 1981 and includes new manuals and handbooks guide land use planning decisions. The BLM will not *revise* the existing Southwest Management Framework Plan; but will *replace* it with the BSWI RMP/EIS. The BLM will replace the geographic portion of the 1986 Central Yukon RMP that falls within the BSWI planning area.

The RMP lays out broad multiple-use direction for BLM-managed public lands (surface) and BLM-managed subsurface mineral estate in the planning area, including the subsurface beneath private surface estate. The Federal Land Policy Management Act (FLPMA) requires that the BLM "develop, maintain, and, when appropriate, revise land use plans." (43 United States Code [USC] 1712 (a)). The intent of the RMP is to guide future actions and site-specific implementation decisions on BLM lands.

These decisions establish goals and objectives (desired outcomes) for resource management and the measures needed to achieve them. These measures are actions and allowable uses, such as lands that are

open or available for certain uses (including any applicable restrictions) and lands that are closed to certain uses.

The National Environmental Policy Act (NEPA) requires the BLM to consider a range of alternatives in its land use planning process. The BLM must analyze and disclose the potential environmental impacts of proposed RMP decisions. The EIS documents these alternatives and impact analyses. The EIS process also provides opportunities for participation in RMP development by local, state and tribal governments, Alaska Native corporations, the public, and stakeholder groups.

1.1 PURPOSE AND NEED FOR THE BSWI RESOURCE MANAGEMENT PLAN

The purpose of the BSWI RMP is to develop decisions to guide future land management in the BSWI planning area and subsequent site-specific implementation decisions. These decisions establish goals and objectives (desired outcomes) for day-to-day and long-term resource management. To achieve these goals and objectives, the RMP identifies uses (allocations) that are allowable, restricted, or prohibited.

Management decisions include measures or criteria, such as desired outcomes (goals and objectives); administrative designations such as Areas of Critical Environmental Concern (ACEC); proposed withdrawals; and, suitability for congressional designations, such as an addition to the National Wild and Scenic River System. All decisions are pursuant to the multiple-use and sustained yield mandate of FLPMA.

The BSWI RMP process will:

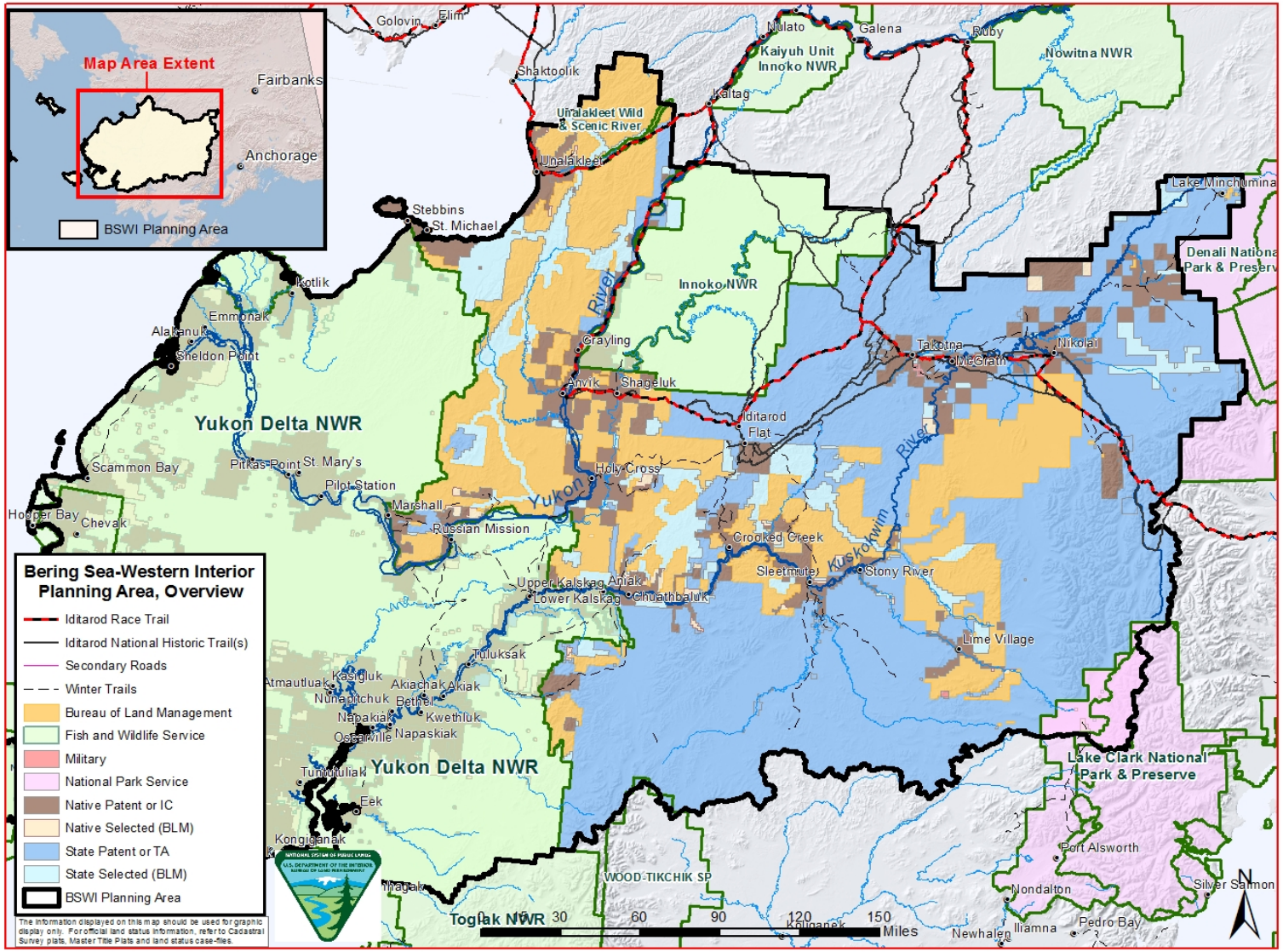
- Reevaluate, with public involvement, existing conditions, resources, and uses. The BSWI RMP process will reconsider the mix of resource allocations and management decisions designed to balance the use and the protection of resources pursuant to FLPMA and applicable law.
- Resolve multiple-use conflicts or issues between resource values and resource uses. The resulting BSWI RMP will establish consolidated guidance and updated goals, objectives, and management actions for BLM-managed public lands in the decision area. The BSWI RMP will be comprehensive in nature to address issues identified through agency, interagency, and public scoping efforts.
- Disclose and assess the direct, indirect, and cumulative impacts of reasonably foreseeable future actions resulting from the management decisions in the BSWI RMP, pursuant to the requirements of the NEPA, its implementing regulations, and other applicable laws.

The need for the BSWI RMP is to provide guidance to address the significant alterations in resources, circumstances, laws, policies, and regulations in the BSWI Planning Area since the 1980 plans. The BSWI RMP will be more relevant to current and future issues common on BLM-managed public lands and will allocate resources under the multiple-use and sustained yield mandate. This RMP will reflect new information, resource data, and local community knowledge needed to better manage these public lands.

1.2 DESCRIPTION OF THE RMP PLANNING AREA

The BSWI Planning Area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, all lands west of Denali National Park and Preserve and the divide of the Alaska Range to the Bering Sea, including Saint Lawrence, Saint Mathew, and Nunivak islands (see Map 1).

Map 1: Bering Sea-Western Interior RMP Planning Area



The planning area encompasses approximately 62 million acres of land in western Alaska, with roughly 10.6 million surface acres administered by the BLM. The BLM generally manages the subsurface acres under BLM-managed lands as well as subsurface under other federal agency-administered lands. The BLM may also administer some subsurface under privately owned lands. Total BLM acreage includes BLM-managed unencumbered lands and BLM-managed encumbered lands selected by, but not yet conveyed, to the State of Alaska and Alaska Natives. These encumbered lands are referred to as "State-selected" and "Native Corporation-selected" lands.

Completion of final adjudication of State-selected land claims are via the Alaska Statehood Act and of Native-selected land claims are via the Alaska Native Claims Settlement Act (ANCSA). These land conveyances are ongoing, and therefore, BLM land status acreage frequently changes (Table 1-1).

Table 1-1: BLM-managed acreage as of April 2013

BLM-Managed Lands	Acres
Unencumbered BLM	7,828,825
Native Corporation-Selected	213,793
State-Selected Lands	2,627,570
Total BLM Acres	**10,670,189**
Total Acres of All Ownership	61,783,151
Percent BLM Lands of All Lands:	17.3%

This land use planning effort, except where the BLM retains management responsibility for the subsurface, does not include National Wildlife Refuge lands created by the Alaska National Interest Lands Conservation Act (ANILCA) and managed by the U.S. Fish and Wildlife Service (FWS), nor public lands managed by the National Park Service (NPS). Additionally, the planning decisions and descriptions in the future BSWI RMP will not apply to private lands or lands conveyed through ANCSA or lands conveyed to the State of Alaska through the Alaska Statehood Act.

1.3 OVERVIEW OF THE PUBLIC INVOLVEMENT PROCESS

Public involvement is an important, vital, and legal component of the RMP/EIS process. Public involvement engages the public in the decision-making process and allows for full environmental disclosure. NEPA provides guidance for public involvement in 40 CFR Section 1506.6, ensuring that federal agencies make a diligent effort to involve the public in the NEPA process.

Section 202 of FLPMA directs the Secretary of the Interior to establish procedures for public involvement during land use planning actions on public lands. BLM's Land Use Planning Handbook, H-1601-1 (BLM, 2005) has guidance for conducting public involvement during land use planning. Public involvement requirements for both NEPA and FLPMA will be satisfied through this joint BSWI RMP/EIS process.

Public involvement for the BSWI RMP includes:

1. **Public scoping** before NEPA analysis begins to determine the scope of issues and alternatives to address in the RMP.

2. **Public outreach** via letters of invitation to participate, news releases, postcards, newspaper advertisements, and informational flyers.

3. **Collaboration** with federal, state, local, and tribal governments; Alaska Natives and Native Corporations; the BLM-Alaska Resource Advisory Council (RAC); and cooperating agencies.

4. **Consultation** with Alaska tribes and ANCSA regional and village corporations.

5. **Public review** and comments on the Draft RMP/EIS, which will analyze environmental effects and identify a range of alternatives, including the BLM's preferred alternative.

This Scoping Summary Report documents the results of the first two phases of the public involvement process and provides information about the ongoing collaboration process.

Scoping is an early and open process to determine the scope of issues to address and identifies significant issues related to proposed actions. When the BLM collects information during scoping, it may also use it to develop the alternatives addressed in a NEPA document.

The two components of the BLM's scoping process are "internal scoping" and "external scoping".

Internal scoping is when an agency or cooperating agencies conduct internal scoping to determine preliminary and anticipated issues and concerns. The BSWI RMP internal scoping began with the creation of a Preparation Plan in April 2013. The Preparation Plan highlighted anticipated planning issues, management concerns, and preliminary planning criteria. An interdisciplinary team of BLM Anchorage Field Office (AFO) resource specialists held a series of internal scoping meetings to identify anticipated planning issues and what methods, procedures, or data to use in compiling the draft RMP/EIS.

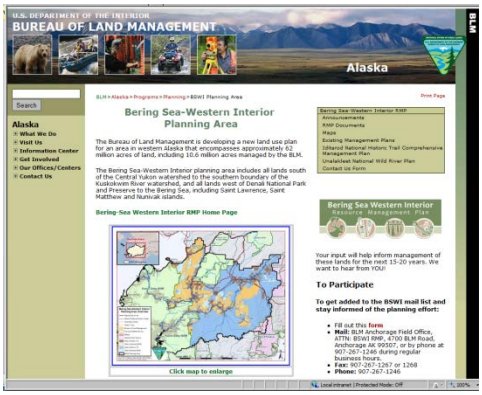
External scoping is a public process to reach beyond the BLM and identify the concerns of importance to the public. External scoping helps ensure that problems are identified early and properly studied, that issues of no concern do not consume time and effort, and that the proposed action and alternatives are balanced, thorough, and able to be implemented.

In accordance with 43 CFR 1610.2(d), the BLM must document the scoping results. The BLM's land use planning guidance (Handbook H-1601-1) requires the preparation of a Scoping Summary Report to capture public input in one document. This report must summarize the comments received during the formal external scoping period. It also must describe the issues and management concerns from public scoping meetings, internal scoping meetings, and the pre-plan analysis. The report must also include a discussion of how to incorporate these comments into the RMP.

1.4 DESCRIPTION OF THE SCOPING PROCESS

The BLM follows the public involvement requirements documented in Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1501.7 for scoping and 1506.6 for public involvement) and as described in BLM planning regulations (43 CFR 1601-1610). The BLM solicits comments from relevant agencies and the public; organizes and analyzes all comments the BLM receives; and, uses the comments to identify issues to address during the planning process. These issues define the scope of analysis for the RMP to use for developing the project alternatives.

1.5 BSWI PROJECT WEBSITE



In spring 2013, the BLM launched the BSWI project website (www.blm.gov/ak/planning/bswi). This website provides background information about the BSWI planning area, applicable documents and reports, a project timeline, information about the planning process, meeting information, news releases, articles, contact information, and other resources. The BLM announces dates and locations for all scoping meetings on this website.

When the scoping meetings concluded, the BLM posted

summaries of the issues and concerns participants expressed during scoping. The BLM continues to use the BSWI project website as its primary tool for reaching the public who have online access. For those without computer access, the BLM uses a combination of printed products and local media to keep participants informed of the BSWI planning process.

1.5.1 BSWI Project Mailing List and Focused Mailings

When the BLM established the BSWI project website, it also developed a BSWI project mailing list that includes:

- Federally recognized tribes and Alaska Native Corporations in the BSWI planning area;
- Federal, state and local units of government in the BSWI planning area;
- Statewide and regional non-government organizations, including industry, conservation, recreation, and others;
- Other interested parties and members of the public; and,
- Print and broadcast media throughout the BSWI planning area and Anchorage.

In June 2013, just prior to the *Federal Register* publication of the BSWI Notice of Intent, the BLM sent letters of invitation to Federally Recognized Tribes in Alaska and to Alaska Native Corporations. These letters introduced the BSWI planning effort, offered government-to-government consultation, and invited participation as a cooperating agency (Section 1.5.3 regarding corporations established under the Alaska Native Claim Settlement Act [ANCSA] of 1971). Included with these letters were a BSWI planning area map and public involvement information flyer. The BLM sent similar letters inviting cooperating agency participation to the Alaska Department of Natural Resources (ADNR), FWS, NPS, Alaska National Guard, U.S. Air Force, and U.S. Army.

1.5.2 Notice of Intent

The *Federal* Register published BLM's Notice of Intent (NOI) to develop the BSWI RMP on July 18, 2013. The *Federal Register* publication date of the BSWI NOI also initiates its formal public scoping period, as required by NEPA. The BSWI NOI specified a 150-day scoping period that would end on December 16, 2013.

When the BSWI NOI published in the *Federal Register*, the BLM mailed a postcard to its BSWI mailing list to announce the start of the scoping period and provide information about ways to participate in the scoping process. However, from October 1-16, 2013, the federal government shut down. The government shutdown prompted the BLM to extend the BSWI scoping period from 150-days to 180-days, closing on January 17, 2014. The BLM mailed follow-up postcard to its BSWI mailing list in early November to announce the extension of the scoping period and to provide the dates and locations of public scoping meetings.

This scoping report includes any comments received before January 17. However, the BLM will consider all comments received during the BSWI planning process.

1.5.3 Press Releases, Newspaper Advertisements, Radio PSAs

On July 18, 2013, the BLM issued a press release announcing the 150-day scoping process. The BLM posted the release to the BSWI project website and sent it to print and broadcast media in Anchorage and

throughout the BSWI planning area. On October 25, 2013, the BLM issued a second press release to the same recipients to announce the scoping period extension to 180 days, due to the October 1-16 federal government shutdown.

On December 4, 2013, the BLM announced a joint BSWI/Central Yukon RMP public scoping meeting in Anchorage, through website postings, radio announcements, and a series of email announcements to organizations on the BSWI mail list.

The Delta Discovery is a Bethel-based weekly newspaper that serves the BSWI planning area. The BLM placed display advertisements in the *Delta Discovery's* November 6, November 13, and December 11 editions to announce dates and locations of village scoping meetings. The BLM also provided public service announcements to public radio stations KYKD-FM/KYUK-AM (Bethel), KSKO-AM (McGrath) and KNSA-AM (Unalakleet) to announce village scoping meetings. Radio broadcasts included 30-second announcements that played repeatedly on KSKO (air dates unknown) and KYUK 5 times per day, 11/16-18/2013. In addition, KDLG Radio aired one story on 8/23/13 (2:37min) and KNOM aired another story on 7/24/13.

1.5.4 Community Scoping Meetings

The majority of communities in the BSWI planning area are small, rural villages near major watersheds. There are 60 rural communities in the BSWI planning area and 26 of those are within the vicinity of BLM-managed lands. The population in the BSWI planning area is approximately 25,000 persons.

The BSWI RMP Team developed a list of 15 communities in which to offer scoping meetings. These 15 communities included Anchorage, Bethel, Aniak, McGrath, Nikolai, Unalakleet, Kaltag, Grayling, Holy Cross, Russian Mission OR Marshall, Kalskag, Lower Kalskag, Chuathbaluk, Crooked Creek, and Sleetmute. The leadership of smaller communities in the BSWI planning area is primarily Alaska Native tribes and village corporations. Under State Municipal Code (Title 29, Alaska Statutes), some communities are also incorporated as second-class cities.

To develop the list of 15 communities for its scoping meetings, the team considered:

- Communities with proximity to significant blocks of BLM-managed land in the planning area;
- Community population -- the team proposed scoping meetings in a number of small communities near BLM lands and in the larger "hub" communities of Bethel and Aniak, as well as in Anchorage;
- Communities along both major watersheds in the planning area (Kuskokwim and Yukon rivers) where extensive subsistence use occurs; and,
- Communities located near the Iditarod National Historic Trail and Unalakleet Wild and Scenic River.

In small rural Alaska villages, community meetings hosted by outside agencies or organizations occur by permission of the local leadership (tribe and Village Corporation). Three of the 15 communities on the list did not accept the BLM's offer to host a village scoping meeting. After the public scoping period ended,

the BLM wrote to the tribal leadership of these three communities to extend the offer of future consultation. The BLM will continue to provide project mailings and future updates to these three communities during the BSWI planning process, unless those communities request the BLM do otherwise. The BLM completed ten community meetings during scoping (Table 1-2).

Table 1-2: Ten BLM Community BSWI RMP Scoping Meetings

Community	Date	Number of Attendees
Lower Kalskag	Nov. 8, 2013	25
Aniak	Nov. 19, 2013	10
Bethel	Nov. 20, 2013	8
Chuathbaluk	Nov. 21, 2013	10
Unalakleet	Nov. 22, 2013	19
Anchorage	Dec. 4, 2013	52
McGrath	Dec. 12, 2013	26
Grayling	Dec. 17, 2013	28
Holy Cross	Dec. 18, 2013	17
Russian Mission	Dec. 19, 2013	12

The tribe canceled the BSWI scoping meeting in the village of Kalskag scheduled for November 8, 2013, due to a death in the community; the tribe did not wish to reschedule the meeting. Weather canceled a BSWI scoping meeting scheduled November 19, 2013, in the village of Crooked Creek. The BLM consulted with the Crooked Creek Traditional Council in Anchorage on December 5, 2013, to hear issues and concerns they had related to BSWI planning.

Scoping meetings included a brief presentation by the BLM, followed by an interactive session with community residents using maps of BLM lands near their communities. Community members shared information about subsistence uses of nearby BLM-managed lands, local knowledge of BLM lands in their areas, and issues and concerns for the BLM to consider when developing management alternatives and use allocations for these lands.

Comment forms were available at each meeting. A small number of participants used the forms to provide written comments, either during the meetings or later via reply mail. However, rural Alaska Native communities have a strong oral tradition and many participants, especially Elders, elected to share

comments orally during the meeting. The BSWI RMP Team summarized these comments into written form and provided a draft to the leadership of each community via follow-up letter to request any additions or corrections.

1.6 COLLABORATIVE INVOLVEMENT PROCESS

In addition to formal scoping, the BLM implemented a collaborative outreach and public involvement process that includes Federally Recognized Tribes and Alaska Native Corporations (Section 1.5.3); city, state, and federal agencies; non-government organizations; and the BLM's Alaska Resource Advisory Council.

The BLM will continue to meet with interested tribes, agencies and organizations throughout the BSWI planning process, and will coordinate closely with cooperating agency partners.

1.6.1 Scoping Presentations

During the scoping period, the BSWI RMP Team made 12 group presentations (Table 1-3) for other meetings and organizations in addition to the community scoping meetings (Section 1.4.5). These presentations outlined BSWI RMP objectives and provided an opportunity for participants to express their vision for BLM-managed lands in the planning area, including the benefits they seek from public lands. The meetings laid the foundation for ongoing collaboration for the BSWI RMP effort.

Table 1-3: Twelve BLM Scoping Presentations

Date	Organizations
April 26, 2013	Iditarod Historic Trail Alliance spring meeting
July 15, 2013	First Holy Cross Meeting Village Council (second meeting held Dec. 18)
July 16, 2013	First Anvik Meeting Village Council (held in Anvik)
October 29, 2013	Alaska RAC meeting
December 3, 2013	Alaska Miners Association Federal Oversight Committee meeting
December 5, 2013	Crooked Creek Traditional Council (government-to-government consultation)
December 16, 2014	National Park Service
January 8, 2014	Calista Corporation
January 29, 2014	Second Anvik Meeting (in Anchorage)
Multiple	Subsistence RAC meetings in planning area (Western Interior, Yukon-Kuskokwim Delta, Seward Peninsula)

In addition to scheduled group presentations, AFO resource specialists visited informally with residents and leaders in McGrath and Anvik during summer fieldwork in or near these communities. BLM resource specialists posted BSWI community posters at village stores and other local bulletin boards beginning in July 2013 to introduce the BSWI planning effort and encourage public participation. BLM held a second meeting with Anvik Tribal representatives when they visited Anchorage in January 2014. Although this meeting was after the close of scoping, the BLM added and refined the original list of Anvik community issues provided on July 16, 2013, and included them in this report.

1.6.2 Cooperating Agencies

A cooperating agency is any federal, state, or local government agency or federally recognized tribe that has jurisdiction by law or special expertise within the planning area. A cooperating agency enters into a formal agreement with the lead federal agency to help develop an environmental analysis. Cooperating agencies "work with the BLM, sharing knowledge and resources, to achieve desired outcomes for public lands and communities within statutory and regulatory frameworks" (BLM Land Use Planning Handbook H-1601-1). The benefits of enhanced collaboration among agencies in preparing NEPA analyses included:

- Disclosing relevant information early in the analytical process;
- Applying available technical expertise and staff support;
- Avoiding duplication with other federal, state, tribal and local procedures; and,
- Establishing a mechanism for addressing intergovernmental issues.

In June 2013, the BLM wrote to 66 Federally Recognized Tribes and 33 city, state, and federal units of government inviting them to participate as cooperating agencies for the BSWI RMP (**Appendix A**).

The State of Alaska, FWS, and one tribe have expressed interest in serving as a cooperating agency for the BSWI planning process.

1.6.3 Consultation with tribes and Alaska Native Corporations

Departmental policy issued by Secretary of the Interior Ken Salazar on August 10, 2012, instructs agencies to "consult with Alaska Native Corporations on the same basis as Indian tribes under Executive Order No. 13175" when taking Departmental action that has a "substantial direct effect" on corporations organized under the Alaska Native Claims Settlement Act of 1971 (ANCSA).

In June 2013, the BLM sent letters of invitation to 66 Federally Recognized Tribes and 48 ANCSA corporations to initiate consultation in accordance with Departmental policy (**Appendix A**).

The BSWI RMP Team made follow-up contact with tribes and ANCSA corporations in villages near BLM-managed blocks of lands in the planning area to develop a schedule of village scoping meetings and to offer government-to-government and ANCSA Corporation consultation. The BLM then worked with tribal and corporation leadership to host scoping meetings in nine villages in the planning area (Section 1.4.5 Public Scoping Meetings).

Government-to-government and ANCSA corporation consultation and coordination is not limited to public scoping or comment periods, and will continue throughout the BSWI planning process to ensure consideration of the concerns of tribes and ANCSA corporations during development of the BSWI RMP.

1.6.4 BLM-Alaska Resource Advisory Council

The Secretary of the Interior established the Resource Advisory Councils (RAC) to provide advice or recommendations to BLM management (BLM Land Use Planning Handbook H-1601-1). RACs are generally composed of 15 members of the public representing different areas of expertise. The Secretary appoints Council members based on their ability to provide informed, objective advice on a broad array of public lands issues and their commitment to collaboration in seeking solutions to those issues.

The BLM-Alaska RAC membership includes a cross-section of Alaskans from around the state representing: energy, tourism, and commercial recreation interests; environmental, archaeological, or historic interests; and, elected officials, Alaska Native organizations, and the public-at-large.

Members of the BLM-Alaska RAC are on the BSWI mailing list, so should have received the post cards announcing the start of the BSWI planning process in July 2013 and the scoping meeting schedule. The BLM also presented about the BSWI RMP at the BLM-Alaska RAC's October 2013 meeting in Anchorage and April 2014 meeting in Fairbanks.

One RAC member attended the November 20, 2013, public scoping meeting in Bethel. Several current and former RAC members attended the December 4, 2013, public scoping meeting in Anchorage.

The BLM will continue to seek input from the Alaska RAC during future meetings throughout the BSWI planning process.

2.0 COMMENT SUMMARY

2.1 METHOD OF COMMENT COLLECTION AND ANALYSIS

The BLM has documented all BSWI RMP comment submissions received on or before January 17, 2014, with the exception of the second meeting with Anvik, in this Scoping Summary Report. The BLM will consider all comments received during the BSWI RMP process for alternative formulation and project planning.

The BLM received scoping comments via 15 emails, 4 letters mailed via U.S. Mail, 3 completed comment forms, 1 fax, and 2 phone calls. Additional comments came from summaries created by BLM staff or contractors who attended the public scoping meetings.

In addition to individual comment letters, a letter campaign from the non-profit Alaska Wilderness League resulted in 60 form letter submissions, with 38 signatures attached to the form letter with no comment, and 22 signatures attached with at least one additional comment. Details of form letter submissions are included in **Appendix D** "List of Commenters."

Once the BLM received and documented all comments, the BLM coded the comments according to each planning issue category where appropriate (Section 2.2.3). The BSWI RMP Team tallied coded comments into the tables provided in **Appendix C** and wrote in the comment summaries in Section 2.

2.2 SUMMARY OF PUBLIC COMMENTS RECEIVED

2.2.1 Written Submissions by Affiliation

Table 2-1 "Comments by Commenter Affiliation" shows the number of comment letters the BLM received from each type of affiliation (a master form letter counts as one letter from an organization, commenter affiliations do not reflect additional signed form letters). The BLM considered letters on business, agency, or organization letterhead, or when the commenter signed them using their official agency title, as representative of their organization. The BLM considered all other letters as representing individuals.

Table 2-1 Comments by Commenter Affiliation

Affiliation	Number of Comment Submissions	Commenters
Federal	3	U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, U.S. National Park Service
State	2	State of Alaska, Senator Coghill
Tribal	4	Georgetown, Crooked Creek, Anvik, Eek
ANCSA Regional Corporation	1	Doyon Limited
Community Meeting (tribe may have been present)	10	Lower Kalskag, Anchorage, Aniak, Bethel, Chuathbaluk, Grayling, Holy Cross, McGrath, Russian Mission, Unalakleet
Industry Organizations	2	Alaska Mining Association, Resources Development Council
Interest Groups	9	Alaska Wilderness League (2 comments: 1 letter, 1 form

Affiliation	Number of Comment Submissions	Commenters
		letter), Taiga Resources Conservation, Yukon River Drainage Fisheries Association, Earthworks, Kuskokwim River Watershed Council, Pew Trusts, Western Arctic Caribou Herd Working Group.
Individuals	20	12 from Anchorage Community Meeting, 3 from Unalakleet Meeting, 2 from McGrath area, 1 from Stebbins, 1 from Toksook Bay, 1 from Anchorage
TOTAL	**49**	
Interest Group Form Letter	60 Form Letters	BLM received 60 Form Letters. 38 Form Letters signed as written by Interest Group. 22 Form letters contained at least 1 additional comment.

3.0 ISSUE SUMMARY

3.1 PLANNING ISSUE DEVELOPMENT

This scoping report compiles information accepted during internal and external scoping to develop discrete planning issue statements. **Section 3.2** "Planning Issue Statements" discuss these. The purpose of these planning issue statements is to highlight the key issues refined from the initial planning and scoping processes. **Section 3.3** "Summary of Public Comments by Resource Planning Issue Category" also discusses these issues according to the various issue categories and associated comments received from interested individuals, agencies, elected officials, businesses, and organizations. The BLM will use the planning issues and associated statements, planning criteria, and other information collected in the early planning and scoping phases of the RMP process to help formulate a reasonable range of alternative management strategies that will be analyzed during the RMP/EIS process.

3.2 PLANNING ISSUE STATEMENTS

Among the scoping comments received, commenters raised some issues more frequently than others did. A key purpose of scoping is to "determine the scope and the significant issues to be analyzed in depth in the environmental impact statement (40 CFR 1501.7). Significant issues can be raised by just a few comments or by many commenters. How the EIS should address issues depends on the significance of the issue and **not** the frequency of the comment.

A planning issue is a conflict or dispute over resource management activities, allocations, or land use that is well defined or topically discrete and entails alternatives between which to choose. The BLM identified planning issue statements both internally and externally through public scoping.

The planning issue statements presented below are preliminary and based on the best information known to date. The process of developing this RMP affords many opportunities for collaboration with local, state, federal, and tribal governments; land-management agencies; public interest groups; and, public land users. As a result, these issues and concerns may need to be modified and perfected to reflect public comments and concerns. Below is a list of overarching planning issues the BSWI RMP will address in the plan. Each overarching issue has sub-topics, issue questions, and management concerns that address more specific uses and resources. As applicable, the items listed in **Appendix C** of the Land Use Planning Handbook (H-1601-1) (BLM 2005) will be addressed and decisions will be made.

Planning issues include the following:

Management of Natural Resources

Issue 1: Non-Native Invasive Threats (plants, aquatic species, and terrestrial species)
Issue 2: Vegetative Communities (Riparian, Forest & Woodland)
Issue 3: Soil, Water, and Air
Issue 4: Climate/Climate Change
Issue 5: Fish and Aquatic Species
Issue 6: Wildlife
Issue 7: Special Status Species – Flora and Fauna
Issue 8: Wildland Fire Ecology and Management

Issue 9: Cultural Resources
Issue 10: Paleontological Resources
Issue 11: Visual Resources
Issue 12: Wilderness Characteristics

Management of Resource Uses and Activities

Issue 13: Minerals Management: Leasable Fluid Minerals (Oil and Gas) and Solid Minerals (Coal, Oil Shale, Sodium, Nitrate)
Issue 14: Minerals Management: Locatable and Salable Minerals (mineral materials: sand, gravel, aggregates / salable: anything non-salable, non-leasable)
Issue 15: Forestry and Woodland Products
Issue 16: Livestock Grazing
Issue 17: Renewable Energy (Wind, Solar, Hydropower, Biomass, Geothermal)
Issue 18: Lands and Realty
Issue 19: Recreation, Visitor Services, and Recreation Authorization permits
Issue 20: Trails and Travel Management including Off-Highway vehicles

Special Designation of Lands with Special, Critical, or Unique Features or Resource Values

Issue 21: Areas of Critical Environmental Concern
Issue 22: Wild and Scenic Rivers
Issue 23: National Trails

Support Project design features for Lands and Resources

Issue 24: Interpretation and Environmental Education

Public Safety, Social, Subsistence, and Economic Features

Issue 25: Subsistence
Issue 26: Social, Economic (Non-market Values), and Environmental Justice
Issue 27: Public Safety and Hazardous Materials

These preliminary issue categories encompass the many issues and concerns from the public and identified during scoping; however, the list is not all-inclusive. Some issues are presented as questions and will be addressed in the BSWI RMP. These issues will likely be modified, new issues will be added, and others will be deleted as a result of the public involvement process.

Preliminary management concerns for each of the issues developed by the BLM during internal scoping are below:

3.3 SUMMARY OF PUBLIC COMMENTS BY RESOURCE PLANNING ISSUE CATEGORY

See **Appendix C** for scoping comments that relate to all of the following issues.

3.3.1 Issue 1: Non-Native Invasive Species Threats (including plant species, terrestrial species, aquatic species)

Comments in the Issue 1 "Non-Native Invasive Species Threats" category expressed concern for the introduction and spread of invasive species in the planning area. Comments generally pertained to the potential for invasive species as it relates to disturbance activities including climate change, vegetation removal and fire suppression, as well as naturally occurring species and infectious diseases.

Comments called for the BSWI planning effort to establish a current status database of invasive species occurrences in the planning area, as well as identify the Best Management Practices proposed to prevent deterioration of ecosystem health. One commenter was supportive of an integrated weed management program – a mix of control measures that include cultural, biological, mechanical and chemical techniques.

Internally generated scoping questions related to invasive species and included:

Plant Non-Native Invasive Species (Plant NNIS)

- Are there any known existing Plant NNIS species in the planning area?
- How should the BLM manage known existing Plant NNIS infestations in the planning area?
- What control methods should be employed to manage existing and future infestations?
- How should the BLM detect, prevent, and respond to the Plant NNIS in the planning area?
- What Best Management Practices or conditions should the BLM include in permits to prevent the introduction and spread of Plant NNIS?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for the management of Plant NNIS?

Aquatic Non-Native Invasive Species (Aquatic NNIS)

- Are there any known existing Aquatic NNIS species in the planning area?
- How should the BLM manage known existing Aquatic NNIS infestations in the planning area?
- What control methods should be employed to manage existing and future infestations?
- How should the BLM detect, prevent, and respond to the Aquatic NNIS in the planning area?
- What Best Management Practices or conditions should the BLM include in permits to prevent the introduction and spread of Aquatic NNIS?
- Which partner organizations would be able to assist with the identification, inventory, and management of Aquatic NNIS?

Terrestrial Non-Native Invasive Species (Terrestrial NNIS)

- Are there any known existing Terrestrial Animal NNIS in the planning area?
- How should the BLM manage known existing Terrestrial Animal NNIS in the planning area?
- What control methods should be employed to manage existing and future infestations?
- How should the BLM detect, prevent, and respond to Terrestrial Animal NNIS in the planning area?

- What Best Management Practices or conditions should the BLM include in permits to prevent the introduction and spread of Terrestrial Animal NNIS?
- Which partner organizations would be able to assist with the identification, inventory, and management of Terrestrial Animal NNIS?

3.3.2 Issue 2: Vegetative Communities

Comments in the Issue 2 "Vegetative Communities" category pertained to vegetation communities as they support traditional and cultural subsistence ways of life. Comments reflected a general desire to protect the vegetation communities for wildlife habitat, habitat connectivity, and the overall health of watersheds in the planning area. The majority of the comments related to climate change, boreal forest health and habitat protection.

Comments also expressed concern for vegetation communities as they relate to wetland and riparian area function, boreal forest function, and how these resources in the BSWI planning area relate to/support the largest source of clean water in the world.

Comments in this category addressed concern for how the BLM will manage and monitor for vegetation community health and function throughout the planning area in both the short- and long-term considering activities proposed in the BSWI RMP, as well as climate change, fire and other positive and adverse influences and threats to natural resource integrity? Threats mentioned included: roads, pipelines, mineral development, ANCSA 17(d)(1) withdrawals, wildfire management, OHV's, invasive species and climate change. Commenters were particularly concerned with protecting habitat and vegetative communities, and providing for responsible management decisions to protect habitats, wetlands, riparian areas, watersheds.

Comments expressed the value of vegetation communities and natural resources in this planning area (and all of Alaska) and how they relate to and are a significant element of global health, carbon retention, and fresh water supply. Comments also contained requests for establishment of Best Management Practices, mitigation, and monitoring plans to assess effectiveness of BLM resource management actions.

Comments in this category requested baseline acreage data pertaining to vegetation communities specific to wildlife habitat types, values and functions, with an emphasis on flood plains, wetland and riparian areas, and lichen-rich areas that support caribou populations.

Comments related to riparian vegetation mentioned floodplains, timber harvest, aquatic invasive plants, and the protection of riparian areas. Comments included suggested methods for riparian vegetation protection, including retaining withdrawals that are closed to mineral entry and protecting lands within 400 feet of anadromous rivers and streams.

Internally-generated scoping questions related to Vegetation included:

Riparian Vegetative Community

- What is the desired condition of riparian vegetation in the planning area?
- How should the BLM maintain the quantity and quality of the existing vegetative riparian community?

- Will riparian buffers be needed to maintain the existing vegetative riparian community from potential impacts?
- What Best Management Practices or conditions should the BLM include in permits to protect riparian vegetation or restore it after disturbance?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for riparian vegetation?

Forests and Woodlands Vegetation Community

- What is the desired condition of forest and woodland vegetation in the planning area?
- What Best Management Practices or conditions should the BLM include in permits to protect forest and woodland vegetation or restore it after disturbance?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for forests and woodlands?

Priority Vegetation

- Which vegetation communities should be identified as a priority due to the important species they support?
- What key measures or indicators should be used to monitor the quality, size, or connectivity of the priority vegetative community?
- What is the existing and desired future condition for each priority vegetative community?
- What specific actions or use restrictions should the BLM consider to protect priority vegetation communities and achieve desired conditions?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for identified priority vegetative habitats?

3.3.3 Issue 3: Soil, Water, Air

Comments in the Issue 3 "Soil, Water, Air" category addressed general concerns with water quality as it pertains to effects from resource extraction (specifically from mining and oil & gas activities) and to a lesser extent, from climate change.

Many of the commenters perceived threats to water quality as threats to fish and wildlife habitat and ultimately threats to their subsistence lifestyle and commercial opportunities. Commenters were particularly concerned with protecting salmon habitat and anadromous streams; they were concerned with future mining and lifting of the current d1 withdrawals that may result in increased mining. Many commenters are requesting a more thorough analysis in our NEPA documents of impacts to water from mining operations (including exploration and access development) as well as oil and gas development and urged increased monitoring of water resources during permitted activities. There were also many comments concerned with the effect of climate change on water and permafrost, which may result in higher seas and loss of shorelines, increased rainfall, and melting permafrost. A few of the comments in this category expressed a general interest in the BLM's pursuit of water rights and ongoing monitoring of water quality on priority watersheds. In addition, there were a few commenters concerned about the effects of trails to water quality, stream crossings, and soil stability.

Comments that pertained specifically to air quality addressed concern over the impact of smoke as a result of wildland fire; the quantification and disclosure of pollutant emissions that are current and

cumulative; the need for science-based activity restrictions and required remediation; and, the production of fugitive dust that contains heavy metals as a result of coal mining and coal burning.

Additional comments pertained to the production of fugitive dust and heavy-metal-containing fugitive dust from trucking and transportation and coal mining, respectively. Comments also addressed the need for monitoring to ensure sustainable subsistence resources for future generations.

Internally-generated scoping questions related to Soil, Water, and Air included:

Soil

- What Best Management Practices or conditions should the BLM include in permits to avoid soil degradation or erosion and attain the least adverse impact to soils?
- What restrictions or Best Management Practices should the BLM require for surface-disturbing activities to protect soils?
- Do areas of highly erodible or sensitive soils exist in the planning area and are they in need of special protection?
- What Best Management Practices or conditions should the BLM include in permits to avoid permafrost degradation or attain the least adverse impact to permafrost?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for soils resources?

Water

- Do any watersheds exist in the planning area that are not in proper functioning condition and require restoration?
- What Best Management Practices or conditions should the BLM include in permits to avoid degradation of water quality or meet water quality standards under the Clean Water Act?
- What measures should be implemented to protect, maintain or enhance water resources and source water protection areas from the potential effects of multiple-use development?
- How should potential impacts to water quality associated with land and resource use and development be managed?
- Are any watersheds in the planning area in need of special protection?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for water resources?

Air and Atmospheric Values

- What measures and monitoring should the BLM implement to maintain air quality standards?
- What management practices are necessary and appropriate: to prevent unnecessary degradation of the resource or meet the air quality standards of the Clean Air Act?
- What management practices are necessary and appropriate: to prevent unnecessary degradation of atmospheric values, to decrease greenhouse gas emissions, and avoid adverse impacts to or attain the least adverse impact possible upon atmospheric values?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for air resources?

3.3.4 Issue 4: Climate / Climate Change

Comments on the Issue 4 "Climate / Climate Change" category are concerned with how climate change is impacting almost all resources in the planning area, particularly subsistence species, water resources, vegetation communities, permafrost, and designated ACECs, as well as how it impacts rural communities. Commenters request that climate change issues be fully integrated into all aspects of the planning process and addressed in a comprehensive and quantitative manner using science-based information and analysis methods. Many commenters call for development of new adaptive management practices for mineral development and OHV use in a changing climate. Commenters request that plans for future scientific monitoring be included and that Traditional Use areas should be expanded due to climate change impacts. A few commenters request that greenhouse gas emissions from potential activities under the plan be quantified, disclosed, and have mitigation measures to reduce emissions included in the discussion.

Internally-generated scoping questions related to climate change included:

- How should the BSWI RMP address the impacts of climate change and the development of land management strategies that reduce impacts, incorporate appropriate monitoring, and allow for adaptive management to respond to changes over time?
- Which potential partners can help provide information, inventory, or monitoring of climate change?

3.3.5 Issue 5: Fish and Aquatic Species

Comments in the Issue 5 "Fish and Aquatic Species" category addressed a need to protect and sustain fisheries habitat.

One method identified by commenters was to limit development adjacent to creeks and streams. Concerns were identified for the need to retain the ANSCA 17(d)(1) withdraws to prevent impacts from mining and preserve healthy fish habitat. Subsistence communities identified with the need to maintain healthy fish populations to sustain them culturally, spiritually, and nutritionally. The importance of resident fish such as pike, burbot, and whitefish was expressed by many subsistence communities throughout the planning area. Comments on the effects of climate change to the fishery resource were expressed by both community elders and the scientific communities. They each claimed that climate change may affect the location and distribution of fish species throughout the planning area. A comment related to the potential changing distribution was provided by an elder "where there was more, there is less and where there was less, there is more." Numerous comments also offered a strong message to identify and protect spawning areas with special designation such as ACEC's.

Internally-generated scoping questions related to Fish and Aquatic Species included:

- Have any sensitive fish species been documented on BLM lands in the planning area?
- What fish should be identified as priority species? Where are the important habitats for these species located?
- What are desired habitat conditions and population levels for priority fish species?
- What specific actions or use restrictions should the BLM consider to protect priority fish habitats and achieve desired population levels?
- What Best Management Practices or conditions should the BLM include in permits to avoid degradation of fish habitat from adverse effects of placer and mineral materials mining?
- What monitoring measures or indicators would best demonstrate habitat and population health?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for fish and aquatic resources?

3.3.6 Issue 6: Wildlife

Commenters on the Issue 6 "Wildlife" category are concerned with protecting wildlife habitat for moose and caribou subsistence hunting, as well as on BLM-managed lands that are important for trapping, berry picking, firewood gathering and timber harvest. Other commenters were concerned with protecting waterfowl habitats and declining waterfowl populations. Some commenters wanted withdrawals to remain in place to protect wildlife habitats from mining impacts.

Wildlife comments included concerns about predator control, raptor nesting areas, subsistence and guide conflicts, wood bison re-introduction, reindeer herding, and subsistence use of salmon, particularly chinook. Another common theme was the protection of wildlife travel corridors, the prevention of habitat fragmentation, and the viability and sustainability of wildlife habitats over the long term. The effects of placer mining, large-scale mining, and associated infrastructure including the pipeline, on river and wildlife habitats were of particular concern.

Other concerns expressed the use of mining law authority that precludes other land uses including subsistence, wildlife habitat and fisheries. Several comments reminded the BLM that the state manages wildlife populations and that ACECs should not be used to protect populations.

Internally-generated scoping questions related to Wildlife included:

- Which wildlife animals should be identified as priority species? Where are the important habitats for these priority species located?
- What are desired habitat conditions and population levels for priority wildlife species?
- What specific actions or use restrictions should the BLM consider to protect priority wildlife habitats and achieve desired population levels?
- What Best Management Practices or conditions should the BLM include in permits to avoid degradation of priority species habitat from adverse effects of resource development?
- What monitoring measures or indicators would best demonstrate habitat and population health?
- How should land uses be managed to maintain and improve populations? How should the BLM manage the public lands to provide for the needs of sensitive, threatened, or endangered wildlife species?
- Which potential partners can help provide information, inventory, monitoring, or restoration implementation for wildlife?

3.3.7 Issue 7: Special Status Species

Most comments in the Issue 7 "Special Status Species" category addressed complying with the Endangered Species Act, the increasing populations of rare species, and protecting areas of key habitat. Commenters suggest including the general locations of rare plants and their critical habitats, how plan decisions may impact them, and how these sites will be managed to minimize impacts on sensitive plant species. Commenters suggest that alternatives should include ACEC designations to protect sensitive species in the planning area. One commenter suggests the USFWS draft rare plant Best Management Practices be considered.

Comments in this category addressed general concerns for nesting raptors, particularly peregrine falcons and the habitats important to all raptors along the Kuskokwim and Yukon Rivers. Commenters were concerned with BLMs efforts to determine habitats important to special status species, and recognizing and protecting critical habitats for listed species. Commenters called for the current ACEC designation to remain in place. Other commenters called for the lifting of current ACEC designations since the species that the ACEC was designated for have been delisted from the endangered species list since the last

planning effort. Alaska Department of Fish and Game commented that they no longer maintain a Species of Special Concern list.

Internally-generated scoping questions related to Special Status Species included:

- Which State of Alaska-listed fisheries stocks of concern and animal species of concern, featured in the Wildlife Action Plan, occur within the BSWI planning area?
- Where do special status species exist within the planning area, what is the current condition of the populations, and what are the habitat needs of those species?
- Are there specific management plans (such as conservation strategies or recovery plans) that the BLM needs to consider during planning?
- What management actions or use restrictions should be taken on BLM-managed lands to protect special status species habitat or designate critical habitat in the planning area?
- What areas should be identified as important habitat for special status animal species?
- How can the BLM work with partners and stakeholders to develop conservation strategies for special status species and species habitat located on BLM-managed lands?
- Which partner organizations would be able to assist with the identification, inventory, and monitoring of special status species?
- Where land or resource use and development will necessarily occur within the immediate vicinity of special status species, what management practices, including U.S. Fish and Wildlife Service consultation, are necessary and appropriate to avoid:
    1) jeopardizing the resource;
    2) adversely modifying the resource's habitat; and,
    3) listing the resource under the Endangered Species Act of 1973?

3.3.8 Issue 8: Wildland Fire Ecology and Management

Comments in the Issue 8 "Wildland Fire Ecology and Management" category addressed air quality resulting from wildfire, cumulative impacts to natural resources resulting from fire management, and changes to the fire regime resulting from climate change. Two comments recommended monitoring to establish baseline resource conditions and to provide reference conditions against which to compare future conditions.

Internally-generated scoping questions related to Wildland Fire included:

- What allowable uses and management actions would achieve the desired landscape-level fire management goals and objectives?
- What fire regime and condition classes are desired in the planning area?
- What fire management objectives should support the goals and objectives for vegetation, wildlife, and other resources?
- What areas are suitable and what areas are unsuitable for wildland fire use?
- What types of fuels management or vegetation treatments (mechanical, biological, chemical, or prescribed fire) should be implemented, where should they be implemented, and for what purpose?
- Where are restrictions on fire management practices needed to protect natural or cultural resource values?
- Which partner organizations would be able to assist with the identification, inventory, and monitoring of wildland fire management goals and objectives?

3.3.9 Issue 9: Cultural Resources

Comments on the Issue 9 "Cultural Resources" category generally pertained to traditional or use areas, specifically referring to subsistence or otherwise traditional use areas and historic routes. Some comments also implied the presence of Traditional Cultural Properties (TCPs). These included comments regarding old trails and trade routes, old hunting, fishing, and gathering areas, and historic reindeer herding areas. Comments mentioned cultural resources, regarding the protection of the rights and traditional activities of Native Alaskans, values for which ACECs and Wild and Scenic Rivers are selected, the management of lands for multiple uses, the potential impacts to many resources from road development, and the analysis of alternatives and impacts.

Comments discussed historic sites, archaeological sites, or human burial sites. These were generally both informing the BLM of the location of such sites, or mentioning the need for protecting such sites. Comments also addressed traditional use areas, sacred sites, and other terms that generally refer to TCPs. This is excellent information to inform the Land Use Plan because the BLM relies on local tribal members to inform us about the location and significance of TCPs. These comments also addressed wildfires and the "known sites" database used to protect resources from fire, which includes, but is not limited to, information on cultural resources that warrant protection from wildfire. Other comments specifically mentioned the need to protect cultural resources and to follow the section 106 process.

Comments addressed tribal consultation and communication, including the importance of consulting and communication with tribes, and offered what time of year would be the best to meet with tribal organizations. Two comments specifically mentioned the resources of the Iditarod National Historic Trail, and one asked about potential impacts to the INHT and cultural resources from the proposed Donlin Mine project. A global comment received regarded cumulative impacts and how they would like us to analyze cumulative impacts.

Internally-generated scoping questions related to Cultural Resources included:

- How should the BLM identify special cultural resource restrictions that may affect the location, timing, or method of development or use of other resources in the planning area?
- How should the BLM identify site-specific use restrictions from cultural resources currently being actively managed?
- How should the BLM identify area-wide criteria for recognizing potential cultural resource conflicts, such as geographic characteristics of sacred sites, historic properties, or cultural landscapes (e.g., springs, ridges, peaks, caves, or rock shelters)?
- How should the BLM identify measures to pro-actively manage, protect, and use cultural resources, including traditional cultural properties?
- What measures should the BLM take to ensure Alaska Native access to natural and traditional resources?
- How should the BLM develop a management-oriented synthesis of information in this land use plan to develop priorities and a strategy for accomplishing future needed inventory?

3.3.10 Issue 10: Paleontological Resources

The comment related to the Issue 10 "Paleontological Resources" category suggested that the direction provided in the Preparation Plan appeared to be adequate given the current state of the planning process.

The internally-generated scoping question related to Paleontological Resources was:

How can the BLM identify criteria or use restrictions to ensure that:

a. Areas containing, or likely to contain, vertebrates or noteworthy occurrences of invertebrate or plant fossils are identified and evaluated prior to authorizing surface-disturbing activities?
b. Management recommendations are developed to promote the scientific, educational, and recreational uses of fossils?
c. Threats to paleontological resources are identified and mitigated as appropriate?

3.3.11 Issue 11: Visual Resources

Comments on the Issue 11 "Visual Resources" category were concerned that the scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted. Several comments recommended VRM Class I for any identified wild and scenic rivers. Another recommendation expressed that the BLM must work closely with local communities to maintain objectives and goals for potential special designations and subsistence resource protection. Several comments expressed that oil and gas, and mineral development is not compatible with the current, traditional, and customary uses, such as visual resource uses and recreation. Overall, many expressed that scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted.

Internally-generated scoping questions related to Visual Resources included:

- Are there locations where protection of visual resources should be a high priority?
- How should the BLM best reduce and mitigate impacts to visual resources?

3.3.12 Issue 12: Lands with Wilderness Characteristics (LWCs)

Comments in the Issue 12 "Lands with Wilderness Characteristics" (LWCs) category ranged from support for managing lands with wilderness characteristic values to concern for identifying and managing lands as such.

Comments in favor of LWCs expressed the need to identify protection measures to preserve those values. A particular identified value involved direct economic benefits to local communities as a result of recreation opportunities from nearby wilderness quality lands. Additional benefits identified included valuable habitat for wildlife and protection of cultural and archeological sites.

General comments opposing or not fully supporting the BLM identifying and managing lands with LWC values included the thought that there's already enough wilderness areas within federal lands. A Native corporation expressed that identifying and managing LWCs surrounding or adjacent to their lands would complicate or hinder legal access and economic use of their lands. The corporation recommends that our final plan be consistent with ANILCA's provisions governing access to lands and resources. Accordingly, they urge the BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of their land holdings or selections. Another recommendation was that the BLM should not apply management prescriptions that would result in lands being managed more restrictively than ANILCA Conservation System Units (CSU). Additional concerns about LWCs are that they may impact fire management plans or fire suppression activities such as the use of chainsaws or helicopters. Additional comments made particular recommendations for the

BLM to provide public disclosure of any LWC inventories as well as the rationale for any suggested management prescriptions of those identified lands.

Internally-generated scoping questions related to Wilderness Characteristics included:

- Which areas should be managed to preserve wilderness characteristics?

3.3.13 Issue 13: Minerals Management: Leasable Fluid and Solid Minerals

Many comments that pertained to the support of leasable mineral development encouraged the BLM to: consider access for future oil and gas or coal development areas that may be located on non-BLM land, yet require access across BLM land and; opposition to restrictions, special designations, or other decisions that would hinder or prevent oil and gas, geothermal resource, and coal exploration, leasing, and development.

Many of the comments that pertained to the opposition or responsible management of leasable mineral development suggested the BLM reference the 2011 Interagency Memorandum of Understanding Air Quality analysis and Mitigation for Federal Oil and Gas Decisions; use withdrawals to protect areas with special resources; ensure use of best technologies and best management practices that use highest existing design and testing standards; consider impacts to many resources including fish and fish habitat as well as subsistence resources; consider the unique arctic climate that would constitute a mining environment like few others; consider transmission pipelines without roads; and incorporate a systematic public health analysis related to development.

Additional comments suggested that the BLM make information it provides more user friendly, including maps and regulatory language.

Internally generated scoping questions relating to Leasable Minerals included:

- Which lands should be open to leasable mineral resources, including oil, gas, and coal?
- How should access to such leasing claims be managed?
- Which areas should be closed to leasable mineral resources, including oil, gas, and coal?
- What management actions and use restrictions will protect natural and cultural resources and minimize user conflicts associated with leasing development?
- Which areas within the planning area should be opened to leasing, ***subject to existing laws***, regulations, and formal orders; and the terms and conditions of the standard lease form?
- Which areas within the planning area should be open to leasing, ***subject to moderate constraints*** such as seasonal and controlled surface use restrictions?
- Which areas within the planning area should be open to leasing, ***subject to major constraints*** such as no-surface-occupancy stipulations on an area more than 40 acres in size or more than 0.25 mile in width?
- What resource condition objectives, specific lease stipulations, and general/typical conditions of approval and Best Management Practices should be employed to accomplish these objectives in areas open to leasing?
- What circumstances shall be considered to grant an exception, waiver, or modification for each lease stipulation?
- Would leasing and development decisions also apply to geophysical exploration?

3.3.14 Issue 14: Minerals Management: Locatable and Salable Minerals

For the Issue 14 "Minerals Management: Locatable and Salable Minerals" category, there were a series of comments related to concerns about mining in general, associated access roads, and how these will affect water resources and subsistence (including game migration corridors and salmon runs). Comments suggested mining development should address extreme weather conditions and climate change. It was also stated that the BLM, during its planning efforts, should consider access for transportation and utility infrastructure related to mine development within BSWI, where the BLM needs to consider access across federal lands for non-BLM land mining development, while at the same time prevent possible environmental damage related to development along these access corridors.

A comment stated that an absence of minerals from the scoping "issues to consider" was an egregious oversight by the BLM. Another commenter stated that the withdrawals were not enacted to close areas to mining, but for native selections. The commenter also stated that the lands with highest mineral potential had already been selected and as such the remainder should be opened to mineral entry.

Several comments expressed concern about the impacts of mineral development on water quality. Comments questioned how the BLM will manage mine access to make sure public lands are protected. Comments offered that BLM's resource maps are too general and there should be a more common usage of mineral terms and less BLM regulatory language on the maps. Comments suggested that the BLM should continue to evaluate Abandoned Mine Lands (AML) within the RMP area.

Comments suggested that all lands with ACEC designation and/or eligible wild and scenic river corridors be closed to mineral development.

Specific to Salable Minerals, comments offered that a good source of crushed rock is needed near the community of Aniak and others stated that access routes across BLM lands need to be provided to material sites.

Specific to Locatable Minerals, comments offered that EIS's be used instead of EA's to permit future mine development within BSWI. The Nixon Fork mine, located within BSWI, was cited as an example that an EIS for that mine development may have led to more scrutiny and a better tailings pond design, thus avoiding the overtopping that happened in March 2012. Related comments stated that tailings dams need to be built to highest safety standards.

Other comments stated that BSWI contains sources of tin; a critical and strategic metal for which the U.S. currently has no domestic source. Development of this resource would provide local employment in the mining, transportation, service and supply sectors. The mineral deposit is on state land. However, this would require road access and other infrastructure across BLM-managed lands.

Comments stated that the RMP should include provisions to open more areas to mineral development and that there should be increased access for mineral exploration, mineral leasing, mining and oil/gas development.

Comments on the "BSWI Mineral Potential Report" suggested that the BLM should have analyzed the potential for undiscovered mineral resources and not based its analysis solely on known mineral occurrences; that the analysis should have involved the ADGGS and the USGS; that regional geology, geochemistry, and geophysics should be analyzed in greater detail; and that special attention should be given to strategic and critical mineral evaluation. The State requested that the BLM recognize their need to facilitate resource development within BSWI.

Internally-generated scoping questions related to "Locatable and Salable Minerals" category included:

Salable Minerals (mineral materials: sand, gravel, aggregates)

- Where should future sand and gravel sites be allowed along the proposed gas pipeline route and how should they be managed?
- Which lands should be open to salable mineral extraction to support potential future utility corridor, road, community, or other development across BLM-managed lands?
- How should access to such salable claims be managed?
- Which areas should be closed to salable mineral extraction?
- What management actions and use restrictions will protect natural and cultural resources and minimize user conflicts associated with salable extraction?

Locatable Minerals (anything non-salable, non-leasable)

- Which lands should be open to locatable mineral mining?
- How should access to mining claims be managed?
- Which areas should be closed to mining?
- What management actions and use restrictions will protect natural, cultural, and subsistence resources and minimize user conflicts associated with mining?

3.3.15 Issue 15: Forestry and Woodland Products

Comments in the Issue 15 "Forestry and Woodland Products" category generally pertained to uses of forest resources by communities along the mid-Yukon and mid-Kuskokwim rivers regions, particularly how they use the river corridors to access and transport forest resources and considered subsistence harvests of forest resources. Comments specifically referenced the importance of berries and berry-picking areas. Comments mentioned "Climate Change" and its impacts to boreal forest health and habitat protection. Other comments expressed the global significance of the boreal forest as a carbon reserve, oxygen generator, and fresh water filter. A comment listed 5 potential effects of climate change on the boreal forest in Alaska per Juday et al. (1998). This included decreased moisture for sufficient forest growth, insect outbreaks, fire intensity and frequency, spruce reproduction, and changes in habitat associated with thawing permafrost. Another commenter called for the BLM to initiate or continue monitoring daily and seasonal weather patterns for a better understanding of changes in forest ecology as it implicates management decisions.

Internally-generated scoping questions related to Forest and Woodland Products included:

- Where should the subsistence, commercial, and personal harvest of special forest products (mushrooms, berries, firewood, bark, etc.) be allowed and under what conditions?
- What management tools and practices should be used to maintain healthy forest and woodlands?
- How should the BLM address commercial, non-commercial and Alaska Native utilization of forest and woodland resources?
- What management actions may be employed to enhance the value of the resource?
- Are the forest and woodland products found on BLM-managed lands of sufficient quantity and commercial value to warrant the development of a commercial forest and woodland product program?

3.3.16 Issue 16: Livestock Grazing

Comments in the Issue 16 "Livestock Grazing" category expressed desire and support for reindeer grazing. Comments indicated many historic reindeer grazing locations in the planning area.

Internally-generated scoping questions related to grazing included:

- Which lands would provide suitable habitat for reindeer grazing allotments?
- How should the BLM manage reindeer grazing on its public lands, while protecting, managing, and restoring the land?
- Are there other appropriate substitute and domesticated species suitable for grazing allotment allocations in the subarctic environment? If so, which lands would provide suitable habitat for those species?
- What management practices are necessary and appropriate to prevent unnecessary degradation of the land and its resources as a result of grazing?

3.3.17 Issue 17: Renewable Energy

Comments in the Issue 17 "Renewable Energy" category addressed timber resources for biofuel generation and geothermal development as ways to address energy costs in villages within the BSWI planning area.

Comments in this category generally pertained to identifying areas (and conducting resource evaluations) that may be suitable for biofuel generation, and providing for leases for geothermal development. Comments in this category primarily related to the BLM ensuring that areas are open for development and based on high-resource, low conflict areas and establishing criteria for potential areas. A few comments also addressed the concern over ensuring access to potential sites and not creating any restrictions to development (size, surface occupancy).

Internally-generated scoping questions related to renewable energy included:

- Where is there high potential for wind, solar, hydropower, or geothermal renewable energy development on BLM-managed lands?
- How can the BLM accommodate development of potential wind, solar, hydropower, or geothermal renewable energy resources? Should suitability criteria be developed?
- Are there forest resources that could be utilized as a biomass alternate energy source?

3.3.18 Issue 18: Lands and Realty

Comments in the Issue 18 "Lands and Realty" category addressed management of public easements reserved through Section17(b) of ANCSA, access to lands and resources, trespass, public and subsistence cabins, withdrawals, communication sites, land tenure (acquisitions and disposals), rights-of-way, and special designations.

Comments in this category generally pertained to reserved ANCSA 17(b) easements and the Iditarod National Historic Trail, access for subsistence, economic development, and to private land holdings, addressing unauthorized cabins and authorizing "local" or subsistence use cabins, addressing the various withdrawals in effect and land and realty actions that may be restricted by potential special designations (wild and scenic rivers, ACEC, RNA, lands with wilderness characteristics, etc.), providing for communication sites, acquiring critical habitat lands (and Native allotments in Wild and Scenic River

Areas),reviewing remote blocks of BLM-managed lands located close to State of Alaska or ANCSA lands, disposals under ANCSA and the Alaska Statehood Act and the proposed Donlin pipeline.

Comments in this category primarily related to the BLM enhancing 17(b) easement management on the ground (marking, acquiring, and managing); preserving and acknowledging access rights under ANLICA; addressing RS2477 rights-of-way; providing access for inholdings and adjacent lands to the planning area (especially State of Alaska and ANCSA lands); addressing impacts of potential road development (both positive and negative); preserving essential wildlife corridors through land and realty actions; providing for emergency and community shelter cabins; addressing the future impacts to resources, lands, and BLM management capacity by revoking or leaving 17(d)(1) withdrawals in place; ensuring communication sites will be available; obtaining critical habitat by purchase and the effects of granting a right-of-way for the Donlin pipeline to subsistence use and increased access.

The majority of comments in this category addressed access issues relating to economic development, recreation and subsistence opportunities, and addressing current withdrawals.

Internally-generated scoping questions related to Lands and Realty included:

- Where and under what circumstances should the BLM grant authorizations for use, occupancy, and development?
- Which lands should the BLM should make available for sale or exchange?
- Are there any lands the BLM should consider acquiring?
- Where should future potential right-of-way corridors be located across BLM lands?
- Are there any areas that should be avoided or excluded from rights-of-ways
- What terms and conditions and/or Best Management Practices should apply to rights-of-way or development areas?
- How should existing and proposed 17(b) easements be managed?
- What opportunities exist for cooperation and coordination with Alaska Native Corporations in 17(b) easement management?
- Is there a need for additional easements for access to public lands?
- Is there a need to relocate existing 17(b) easements to provide physical access to public lands?
- Which potential partners can help provide location information, use patterns and needs, and maintenance of 17(b) easements?

3.3.19 Issue 19: Recreation, Visitor Services, and Recreation Authorization Permits

Comments in the Issue 19 “Recreation, Visitor Services, and Recreation Authorization Permits” category included the question of how hunting will be addressed in the plan. Specifically, would there be any limitations on recreationists as opposed to subsistence users? A follow-up suggestion included stay limits for over-night camping by recreationists, as compared to subsistence users. The State’s primary recreational interest in BLM lands, both state-selected and non-selected, involves continued access for both motorized and non-motorized uses for a wide variety of recreational activities, including the access method itself. It was also expressed that equally important is management of these lands so that they are not subject to damage by such use. It was recommended that the BLM consider Generally Allowed Uses on State Land when developing management recommendations for state-selected lands and federally managed areas adjacent to state lands. Some comments relayed that concentrated recreation use can impact resources and therefore recommended allowing and/or developing the opportunity for users to disperse (verses designated routes and/or sites), with the use of low impact modes of transportation (e.g., aircraft, watercraft, light fully-tracked vehicles), and seasonal all-terrain vehicles (e.g., snow machines, 4-

wheelers) when and where practicable. Other recommendations suggested allowing the use of existing cabins and construction of new public use/shelter cabins for all activities including seasonal activities, such as trapping or back country skiing. Preserving traditional "quiet" forms of recreation such as hiking, backpacking, non-motorized hunting, angling, rafting, skiing, dogsledding and bird watching are values that were recommended in the comments to be upheld in drafting the Resource Management Plan.

Internally-generated scoping questions related to Recreation included:

- What types of recreational opportunities should the BLM provide and where?
- Is there a need for more recreational facilities on BLM-managed land and where should they be located?
- How can the BLM best manage competing recreational and subsistence uses of resources?
- How should the BLM allocate the number of special recreation permits for guide outfitters and transporters by Guide Use Area?
- Are there areas within the planning area that warrant Special or Extensive Recreation Management Area designation?

3.3.20 Issue 20: Trails and Travel Management including Off-Highway Vehicles

The majority of comments for the Issue 20 "Trails and Travel Management including Off-Highway Vehicles" category were opinions and recommendations regarding land use allocations related to travel management, including post-plan management actions; suggestions that pertained to existing conditions, existing transportation or trail infrastructure, or existing trail and transportation use patterns. Other comments were related to, and reminded the BLM about existing federal and other statutes, laws, regulations, or agency policies or procedures related to travel management. Comments also expressed concern about negative impacts to lands, wildlife, and/or habitat from construction and/or use of transportation infrastructure. Additional comments were related to legal access and easements; historic use patterns; other (non-BLM) planning processes; and, the positive effects of infrastructure construction and/or use.

Internally-generated scoping questions related to Trails and Travel Management included:

- Where and how should the BLM manage or limit off-highway vehicle use?
- What are the effects of off-highway vehicle use on natural resources?
- Where are existing trails located?

3.3.21 Issue 21: Areas of Critical Environmental Concern

Comments on the Issue 21 "Areas of Critical Environmental Concern" (ACECs) category that generally supported ACECs discussed that the protection of watersheds are important for salmon and salmon spawning; the proposed protection of the Innoko River wetlands area for important subsistence migratory bird species staging habitat; prohibiting activities that would degrade the quality of the designations; closing these areas to mineral and road development; support for areas that protect caribou calving grounds, migration corridors, wintering grounds, essential habitat areas, subsistence use areas, and special geologic features; consider layering overlapping administrative designations; including travel designations within ACEC boundaries; and a proposed Kuskokwim River King Salmon ACEC.

The comments that generally opposed ACECs expressed that areas within ACECs may no longer be appropriate for continued designation because of the status of adjacent lands; remain mindful of the economic and cultural importance of having reasonable access across federal lands to access and use Doyon lands; the BSWI planning area already includes numerous protected areas including designated Wilderness and Conservation System Units (CSUs) established by ANILCA; the areas should be delineated judiciously to balance public use with the protection of public resources and cap additional limitations or management strategies; federal acreage dedicated to CSUs within the BSWI planning area is already sufficient and there is no need for ACEC designations.

In regard to existing ACECs, comments expressed that: the North River ACEC is also an important and reliable source of caribou in addition to the nearby Kingmetolik River; significant portions of the Falcon Habitat ACECs have been conveyed and are no longer federal lands; and the peregrine falcon was removed from the Federal list of threatened and endangered species in 1999 and accordingly, there may no longer be valid justification to maintain these ACECs.

One comment recommended ACEC and other evaluations be posted on the website as soon as they are available.

Internally-generated scoping questions related to Areas of Critical Environmental Concern included:

- Are the current ACEC designations meaningful and of the proper size and location? Should they be maintained, modified, or dropped?
- Are there any other areas in the planning area that should be considered for ACEC designation?

3.3.22 Issue 22: Wild and Scenic Rivers

Comments on the Issue 22 “Wild and Scenic Rivers” (WSR) category included those that oppose designating additional WSRs or, recommending additional segments adjacent to Doyon Native lands because doing so would impose significant restrictions on the access and use of the Doyon Native lands and would prevent the full economic benefits of those lands as intended by ANCSA.

Other comments encouraged the BLM to consider protective management strategies for WSRs and to use them as tools to help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. Some recommended managing the Unalakleet Wild and Scenic River to support its wild fisheries as well as the Unalakleet River tributaries not designated under the WSR listing to protect salmon and varying fish species spawning and essential habitat areas. The State of Alaska maintained its opposition to WSR studies in Alaska.

Internally-generated scoping questions related to Wild and Scenic rivers included:

- Which rivers in the BSWI planning area have outstandingly remarkable scenic, recreational, geologic, fish, wildlife, historic, cultural, or ecological values that would make them eligible for designation?
- What specifically are these values?
- Of these eligible rivers, are any suitable for addition to the National Wild and Scenic Rivers System, or are they better managed without designation?
- How should eligible rivers be managed?
- Is there support for designation from other federal agencies, local and state governments, tribes, and the general public?

3.3.23 Issue 23: National Trails

The majority of comments on the Issue 23 "National Trails" category reminded the BLM about existing federal and other statutes, laws, regulations, or agency policies or procedures related to travel management. Other comments related to legal access and easement related issues; existing conditions, existing trail infrastructure, or existing trail use patterns; Special Recreation Permitted event impacts to the Iditarod National Historic Trail, or needs associated with the events; and, requested interagency coordination during planning and implementation. Other comments were concerned about the negative impacts of construction projects on the Iditarod National Historic Trail and associated resources, and another suggested development of a Trail-related facility (shelter cabin).

Internally-generated scoping questions related to National Trails included:

- How should the BLM manage the segments of the Iditarod National Historic Trail (INHT) that are located on BLM-managed lands?
- What activities should be allowed or prohibited in INHT safety shelter cabins (e.g., trapping, guiding, subsistence, etc.)?
- What additional trail improvements should the BLM consider on sections of the trail that cross BLM-managed lands (e.g., more trail signage markers or tripods, additional shelter cabins, educational signage)?

3.3.24 Issue 24: Interpretation and Environmental Education

Comments for the Issue 24 "Interpretation and Environmental Education" category suggested posting signs to show trail designations and provide more public education about the importance of staying on trails, the impacts to soils and vegetation, and reporting degraded areas.

Internally-generated scoping questions related to Interpretation and Environmental Education included:

- What interpretive and environmental education goals should be identified in the planning area?
- What significant resources or areas should be available for interpretation or environmental education?

3.3.25 Issue 25: Subsistence

Comments for the Issue 25 "Subsistence" category addressed general concerns for the continued access to subsistence resources within the planning area, and predicated on the significance of the subsistence way of life to rural residents. Specific areas and trails have been identified as significant for subsistence uses and needs. Because the planning area is vast, and the social-ecological landscape is varied, subsistence concerns range from moose and salmon, firewood and berries, to seals and waterfowl. Some commenters were particularly concerned with large-scale development in the region that could affect subsistence resources and their access to these resources. Other concerns include hunter conflicts, mining, roads to resources, and climate change. Overall, comments expressed the desire to have improved and continued access to subsistence resources in the indefinite future.

Internally-generated scoping questions related to Subsistence included:

- How can the BLM protect resources that are important to maintaining a subsistence lifestyle?

- Which areas on BLM-managed lands in the planning area are important for subsistence use and why?
- What are the effects to subsistence uses and needs when lands are conveyed to the State and potential development occurs?
- How can the BLM help to sustain Alaska Native cultural traditions rooted in subsistence?

3.3.26 Issue 27: Social, Economic (Non-market Values), and Environmental Justice

Comments in the Issue 26 "Social, Economic (Non-Market Values), and Environmental Justice" category addressed a wide range of concerns including the need for tribal and public contact, local economic conditions, mining, subsistence, and other uses of BLM-managed lands. Many of the comments overlapped with other resource areas, reflecting the overarching nature of socioeconomic issues.

Some comments called for improved coordination with local tribes and communities and more effective use of ANILCA 810 hearings, including allowing the public to propose alternatives, identification and application of traditional knowledge and place names, the importance of meaningful and effective collaboration, ensuring full participation by avoiding community events and giving appropriate notice, and sharing more information early in the process before any decisions are made.

Comments that addressed local economic conditions included high costs of living; the loss of some commercial opportunities and benefits; the need for income-producing jobs and activities such as trapping to supplement subsistence activities; and, conflicts between public land designations such as ACECs and Wild and Scenic Rivers and other landowners' ability to access their lands to develop their energy resources.

Comments addressed a range of positions on mining, reflecting the difficulty of balancing environmental protection and health impacts with local hire for scarce job opportunities, and the issue of whether companies benefit more than locals from the economic activity.

Comments addressed various aspects of subsistence use, pointing out increased pressures on and threats to subsistence activities and lifestyles, the need to assess cumulative effects on resources, and assess instream flows and water rights, and conflicts with commercial activities.

Some comments specifically addressed socioeconomic impact analyses, including the need to identify non-market and market values associated with protected public lands and to identify the hidden costs of development. Other comments addressed environmental justice, including impacts to Yukon River salmon stocks, cumulative effects on subsistence from development near communities including increased barge and road traffic and sport hunting, and the need to coordinate management planning across agencies to avoid overburdening communities that currently have to participate in multiple planning processes.

Comments addressed the need to conduct a health impact assessment as part of the EIS, the many benefits of lands with wilderness character, opportunities associated with BLM-managed lands such as locally-led ecotourism opportunities, and maintenance of wildlife populations and associated opportunities for subsistence users, resident hunters, and the professional guide industry.

Internally-generated scoping questions related to Social, Economic (including non-market values), and Environmental Justice Conditions included:

- What are economic, demographic, and social conditions and trends in the planning area?
- What changes in economic, demographic, and social conditions and trends are expected to result from planning decisions?
- If recreation activities and associated facilities change (quantity, character, etc.), what will be the economic benefit or cost?
- If the BLM changes the off-highway vehicle designations, what will be the economic effect in terms of facilities necessary to support public use?
- What are the economic or social effects if land is transferred to the State, and development occurs?
- What are the environmental justice populations in the planning area, and will there be any disproportionately high and adverse effects to these populations?
- Which priority non-market environmental values should be considered in the planning area and why?
- What is the specific geographic or social context of priority non-market values?

3.3.27 Issue 27: Public Safety and Hazardous Materials

Comments for the Issue 27 "Public Safety and Hazardous Materials" category expressed concerns over mercury levels in the Kuskokwim River; the potential hazard of fuel pipeline transport related to a proposed road between the Yukon and Kuskokwim Rivers; concerns on non-BLM-managed land over leaking gas tanks near Stuyahok Mine and problems with a sunken barge up Mountain Creek, off the Yukon River; a reminder that a sub-area plan for oil spill and hazard material releases to inland waters from activities related to the development of oil and gas resources exists; and that there are abandoned mines in the vicinity of the village of Chuathbaluk.

Internally-generated scoping questions related to Public Safety and Hazardous Materials included:

- What restrictions should the BLM put on permits to prevent solid or hazardous waste contamination?
- Are there any existing contaminated sites that the BLM needs to be aware of

3.4 ANTICIPATED DECISIONS

The FLPMA requires the BLM to manage public lands using the principles of multiple use and sustained yield. Management direction resulting from the BSWI planning process for the RMP will be adaptable to changing conditions and demands over the life of the RMP. The BSWI RMP will provide management direction and guide decision making to: achieve desired outcomes; determine appropriate multiple uses; and allocate resources.

This scoping report does not make any decisions, nor does it change current management direction from the 1981 Southwest MFP or 1986 Central Yukon RMP. Instead, this scoping report summarizes the issues identified during the scoping period. The BLM will use the issues summarized in this scoping report, along with subsequently identified issues, planning criteria, and other information, to help formulate a reasonable range of alternatives during the next phase of the RMP process. Each identified alternative, including continuation of existing management practices, will represent a complete and reasonable plan for managing the BSWI planning area.

Future decisions will occur at two levels: (1) the RMP level and (2) the implementation level. Section **3.4.1 Future Resource Management Plan Level Decisions** and **3.4.2 Future Implementation Level Decisions** describes these decision types. The BLM will make only land-use-plan-level decisions as part of the RMP process. The BLM will document its evaluation of identified alternatives in an EIS prepared as part of the RMP process, as required under NEPA.

3.4.1 Future Resource Management Plan Level Decisions

Future RMP-level decisions will be made on a broad scale. These decisions will identify management direction and guide actions for the coming decades within the planning area. The RMP will provide a comprehensive and flexible framework for managing the demands on resources located on BLM-managed lands.

The RMP will describe the vision for the BSWI in terms of two categories of RMP-level decisions: 1) desired outcomes and 2) allowable uses and actions to achieve desired outcomes.

Desired outcomes will include specific goals, standards, and objectives. Goals are broad statements of desired outcomes, such as ensuring sustainable development. Standards are descriptions of conditions or the degree of function required, such as land health standards. Objectives are specific, quantifiable, and measurable desired conditions for resources.

Allowable uses and actions to achieve desired outcomes will be expressed in the RMP as allowable uses, actions needed, and land tenure decisions. Administrative designations (for example, ACECs) and identification of lands suitable for exchange or disposal are examples of some RMP-level decisions in this category.

3.4.2 Future Implementation Level Decisions

The BSWI RMP will contain broad-scale decisions to guide future land management actions. Subsequent site-specific implementation, often characterized as project level or activity-level decisions, will require the BLM's final approval of on-the ground actions. Implementation decisions require a more detailed, site-specific environmental analysis that tiers off of the EIS prepared for the RMP. These decisions generally constitute final approval of on-the-ground actions to proceed (BLM Land Use Planning Handbook H-1601-1, Section IV [B] [BLM 2005]). An example of an implementation decision is the development and management of a recreation site. They may be incorporated into implementation plans (activity or project plans) or may exist as stand-alone decisions.

3.5 SPECIAL DESIGNATIONS, INCLUDING NOMINATIONS

The BSWI RMP will include a discussion of special designation areas including ACECs, Wild and Scenic rivers, and national trails. In addition, the RMP will address new special management areas designations. As part of the RMP effort, the BSWI RMP will determine eligibility and potential classification and suitability of stream segments for inclusion in the National Wild and Scenic Rivers System. New ACEC designations and management of lands with wilderness characteristics will also be considered in the development of the RMP.

4.0 PLANNING CRITERIA

4.1 PRELIMINARY PLANNING CRITERIA

Planning criteria help set the limits or sideboards about what the RMP will and will not address. The criteria are based on standards from applicable laws and regulations, agency guidance, results of consultation and coordination with the public, other federal, state and local agencies, tribes, analysis of information pertinent to the planning area, and professional judgment. They ensure that the RMP will be tailored to the issues identified by the BLM through public participation and are designed to avoid unnecessary data collection and analysis. The BLM scoping process also sought public input on planning criteria.

The July 18, 2013, Notice of Intent provided nineteen preliminary planning criteria. The BLM planning criteria included:

1. Opportunities for public comment and participation in the formulation of the plan will be encouraged throughout the BSWI RMP/EIS process;
2. Valid existing rights will be recognized and protected;
3. The BLM will consider subsistence uses and minimize adverse impacts in accordance with Section 810 of the ANILCA;
4. In accordance with the provisions of 42 U.S.C. 4332(2)(F), salmon will be accorded recognition as an international subsistence resource pursuant to the provisions of the Pacific Salmon Treaty of 1985 and those of the Yukon River Salmon Act of 2000, Public Law 106–450, 16 U.S.C. 5727 et seq., November 7, 2000;
5. The BLM will work cooperatively with state and federal agencies, Federally Recognized Tribes, and municipal governments. Agencies (including federally recognized tribal governments) with jurisdiction by law or special expertise will be consulted to determine if cooperating agency status is appropriate and desired;
6. Department of the Interior guidance, Alaska Department of Fish and Game objectives, and Federal Subsistence Board requirements and mandates will be considered in decisions related to wildlife management;
7. The RMP will be consistent with the Bureau's H–1601–1 Land Use Planning Handbook, **Appendix C**; Program-Specific and Resource-Specific Decision Guidance and supplemental program guidance manuals and handbooks;
8. The plan will be consistent with the standards and guidance set forth in FLPMA, NEPA, Council on Environmental Quality (CEQ) regulations, the National Historic Preservation Act (NHPA), the Wild and Scenic Rivers Act, the National Trails System Act, the Migratory Bird Treaty Act, ANILCA, the Surface Mine Reclamation and Enforcement Act of 1977, and other pertinent federal laws, regulations, and policies;
9. The plan will be consistent with the BLM-Alaska Land Health Standards;
10. Designations for Off-Highway Vehicles for all public lands within the Planning Area will be completed according to the regulations found in 43 CFR Subpart 8342;
11. Multiple-Use classifications will be consistent with the provisions of 43 CFR Parts 2400, 2410, 2420, 2430, 2440, 2450, 2460 and 2470;
12. Current and potentially new special management areas, such as Areas of Critical Environmental Concern (ACECs), will be considered using the criteria found in 43 CFR 1610.7–2;
13. Lands addressed in the RMP will be BLM-managed surface lands and subsurface estate. No decisions will be made for lands not managed by the BLM;

14. Review and classification of waterways as eligible for inclusion in the National Wild and Scenic River System will be consistent with the Bureau's Manual 6400—Wild and Scenic Rivers—Policy and Program Direction for Identification, Evaluation, Planning, and Management;
15. The BLM will incorporate Environmental Justice considerations in the planning alternatives to respond to Environmental Justice issues facing minority populations, low income communities, and tribes living near public lands and using public land resources;
16. Social scientific data and methods will be integrated into the entire planning process, from preparing the pre-plan to implementation and monitoring;
17. Impacts from the alternatives considered in the RMP will be analyzed in an EIS developed in accordance with regulations at 43 CFR Subpart 1610 and 40 CFR Part 1502;
18. Decisions in the plan will be compatible with existing plans and policies of adjacent local, state, and federal agencies to the maximum extent possible while remaining consistent with the purposes, policies, and programs of federal law, and regulations applicable to public lands;
19. The plan will assess all BLM-managed lands in the planning area for wilderness characteristics using criteria established by BLM Manual 6310. The RMP will examine options for managing lands with wilderness characteristics and determine the most appropriate land use allocations for these lands. Considering wilderness characteristics in the land use planning process may result in several outcomes, including, but not limited to: (1) Emphasizing other multiple uses as a priority overprotecting wilderness characteristics; (2) emphasizing other multiple uses while applying management restrictions (conditions of use, mitigation measures) to reduce impacts to wilderness characteristics; and, (3) the protection of wilderness characteristics as a priority over other uses.

4.2 ADDITIONAL SUGGESTIONS FOR PLANNING CRITERIA

The BLM identified two public comments related to existing planning criteria or suggestions for additional planning criteria. They are summarized below.

1. Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision-making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion.
2. Additionally, the inclusion of RS 2477 routes and 17(b) easements is required as part of the Preliminary Planning Criteria outlined in the Preparation Plan for the BSWI RMP states, "Valid existing rights will be recognized and protected." Throughout the planning process, the State requests that the BLM provide depictions, documentation, and discussion of the physical and legal land based transportation network improved upon as additional information is provided by the various contributing parties, stakeholders, and public.

Both of these suggestions pertain to roads, trails, and new road and trail development along with associated concerns about habitat fragmentation and potential competition for subsistence resources. Planning criteria numbers 3, 7, 8, 9, and 10 address how the BLM will handle these issues at the RMP level, and thus the BLM will not incorporate additional planning criteria. Decisions related to road networks and new road development are implementation-level decisions analyzed through project-specific NEPA.

5.0 DATA SUMMARY / DATA GAPS

As part of the RMP planning, evaluation, and data-collection process, the BLM has inventoried available information and has identified data needs for socioeconomics, leasable mineral extraction and energy development, Wild and Scenic rivers, Lands with Wilderness Character, Visual Resource Management, ACECs, and climate change modelling.

The BLM will:

- Conduct an assessment of various social and economic parameters and will document the results in a socioeconomic report to incorporate into the Draft RMP/EIS.
- Develop a leasable mineral potential report with input from the State of Alaska and the U.S. Geological Survey. The report will assess the leasable mineral resource occurrence and development potential of the area defined for the BSWI RMP.
- Conduct a Wild and Scenic River eligibility and suitability study and incorporate the results into the alternatives and analysis in the Draft BSWI RMP/EIS.
- Conduct a Lands with Wilderness Characteristics inventory and incorporate the results into the alternatives and analysis in the Draft BSWI RMP/EIS.
- Conduct a Visual Resource Management inventory and incorporate the results into the alternatives and analysis in the Draft BSWI RMP/EIS.
- Review the five existing ACECs designated prior to development of the BLM's 1988 ACEC Manual 1613. The review will use the criteria from the manual. The BLM will also assess officially nominated areas for designation as ACECs, and the results will inform the Special Designations section of the RMP/EIS.

The BLM will use existing and new resource information to formulate resource goals, objectives, and management alternatives in the RMP. To facilitate this process, the BLM is compiling information and putting it into digital format for use in analysis and map production using geographic information systems. Because this information is imperative to quantify resources, update maps, and manipulate information during alternative formulation, this process must be completed before actual analysis can begin. The new data generated during the RMP process will address planning issues and will meet applicable established standards.

6.0 FUTURE STEPS

6.1 FUTURE STEPS AND PUBLIC PARTICIPATION OPPORTUNITIES

6.1.1 Analysis of the Management Situation (AMS)

The next phase of the BLM's planning process is to complete the "Analysis of the Management Situation" or AMS, which describes existing conditions, data, and management decisions from the 1980's plans for the BSWI planning area. Once the AMS is complete, the RMP team will develop draft management alternatives based on issues in this scoping report's Section 3.2 Planning Issue Statements and Section 3.3 Summary of Public Comments by Resource Planning Issue Category, as well as other inventory information and public input received.

6.1.2 Development of the Draft RMP/EIS

Chapter 2, "Alternatives" in the Draft RMP/EIS, will incorporate the draft management alternatives. These alternatives will address planning issues identified through the scoping process. In compliance with NEPA, CEQ regulations, and BLM planning regulations and guidance, these alternatives should be reasonable and capable of implementation. Along with the draft alternatives, Chapter 2 in the Draft RMP/EIS will also include the purpose and need, goals, and objectives for the project.

After completing a detailed analysis of the alternatives, the BLM will identify its preferred alternative. The preferred alternative is usually a combination of management option components from various alternatives that provide the best mix and balance of multiple lands and resource uses to resolve the issues.

Chapter 3, "Affected Environment" in the Draft BSWI RMP/EIS, will incorporate the AMS information.

Chapter 4, "Environmental Consequences" will document the analysis of the alternatives.

Although the BLM welcomes public input at any time during the planning process, the next official public comment period begins with publication of the Draft BSWI RMP/EIS. The draft document will be widely distributed to tribes, Native Corporations, elected officials, regulatory agencies, and members of the public. It will also be available on the BSWI project website (http://www.blm.gov/ak/planning/bswi). When the draft document becomes available, the BLM will announce it with a Notice of Availability in the *Federal Register.* A 90-day public comment period begins on the date the Notice of Availability publishes in the *Federal Register*. The BLM will schedule public meetings throughout the project area during that 90-day public comment period on the Draft BSWI RMP/EIS.

6.1.3 Development of the Proposed RMP/Final EIS

At the conclusion of the 90-day public comment period, the BLM will revise the Draft BSWI RMP/EIS and publish the Proposed RMP/Final EIS. The BLM will announce availability of the proposed document in the *Federal Register*. A 30-day public protest period begins on the date the *Federal Register* publishes that notice.

The protest period is for proposed planning level decisions (43 CFR Part 1610.5.2). If necessary, the BLM will publish a notice in the *Federal Register* requesting comments on significant changes made as a

result of protest. Concurrently, the Governor of Alaska will review the Proposed RMP/Final EIS for consistency with approved state and local plans, policies, and programs.

At the conclusion of the public protest period and the Governors' consistency review, the BLM will resolve all protests and any inconsistencies. Then the approved RMP and Record of Decision will be published. The BLM will announce the availability of these documents in the *Federal Register*.

Any implementation-level decisions in the RMP are not subject to the protest process, but are instead subject to administrative remedies set forth in regulations applicable to the specific resource management program. These remedies generally take the form of appeals to the Office of Hearings and Appeals within 30 days of the effective date of the Record of Decision or in accordance with the provisions of 43 CFR 4.4.

The BLM will post all publications including this scoping report, newsletters, the Draft RMP/EIS, and the Notice of Availability, on the BSWI RMP website (http://www.blm.gov/ak/planning/bswi). In addition, all pertinent dates for solicitation of public comments will be on the website.

6.2 CONTACT INFORMATION

The BLM invites the public and encourages public participation throughout the planning process for the RMP. Some ways to participate include:

- Review the progress of the RMP at the website: http://www.blm.gov/ak/planning/bswi, which will be updated with information, documents, and announcements throughout the duration of the RMP preparation; and
- Request to be added to or to remain on the official BSWI RMP project mailing list in order to receive future mailings and information. (e-mail: BSWI_RMP_Comment@blm.gov or, complete the form available from the website: http://www.blm.gov/ak/planning/bswi)

Anyone wishing to be added to or deleted from the distribution list, wishing to change their contact information, or requesting further information may email a request to BSWI_RMP_Comment@blm.gov or contact Jorjena Daly, RMP Project Manager, BLM, Anchorage Field Office, 4700 BLM Road, Anchorage, Alaska 99507, phone 907-267-1246. Please provide name, mailing address, and e-mail address, as well as the preferred method to receive information (email, regular mail, or both).

BSWI RMP Contacts:

Alan Bittner, Anchorage Field Manager
Email: abittner@blm.gov
(907) 267-1246

Jorjena Daly, RMP Project Manager
Email: jdaly@blm.gov
(907) 267-1246

6.3 COOPERATING AGENCIES AND COOPERATING AGENCY TRIBES

The formal cooperating agencies include the following federal and state agencies and tribal governments:

- U.S. Department of the Interior, U.S. Fish and Wildlife Service
- State of Alaska
- Native Village of Chuathbaluk

6.4 PROJECT WEBSITE AND PROJECT EMAIL

Project website address: http://www.blm.gov/ak/planning

Project email address: BSWI_RMP_Comment@blm.gov

7.0 REFERENCES

BLM. 1981. Southwest Planning Area Management Framework Plan, October 1981, prepared for by the Anchorage District Environmental Staff for the McGrath Resource Area. 165 pp.

BLM. 1986. Central Yukon Planning Area Resource Management Plan Record of Decision, September 1986, Fairbanks District Office, Northwest Resource Area. 66 pp.

BLM. 2005. Handbook H-1601-1—Land Use Planning Handbook. BLM, Washington, DC. March 11,

2005. 161 pp.

BLM. 1988. Manual 1613 – Areas of Critical Environmental Concern. BLM, September 29, 1988.

8.0 APPENDICES

8.1 APPENDIX A TRIBES, ALASKA NATIVE CORPORATIONS, AND LOCAL GOVERNMENTS IN THE BSWI PLANNING AREA

8.1.1 Table A-1 Federally Recognized Tribes in the BSWI Planning Area

1. AKIACHAK NATIVE COMMUNITY
2. AKIAK NATIVE COMMUNITY
3. ALGAACIQ NATIVE VILLAGE
4. ANVIK VILLAGE
5. ASA'CARSARMIUT TRIBE
6. CHEVAK NATIVE VILLAGE
7. CHULOONAWICK NATIVE VILLAGE
8. EMMONAK VILLAGE
9. GAMBELL COUNCIL
10. HOLY CROSS VILLAGE
11. IQURMIUT TRADITIONAL COUNCIL
12. KASIGLUK TRADITIONAL ELDERS COUNCIL
13. KNIK TRIBE
14. MCGRATH NATIVE VILLAGE
15. NATIVE VILLAGE OF CHUATHBALUK
16. NATIVE VILLAGE OF EEK
17. NATIVE VILLAGE OF GEORGETOWN
18. NATIVE VILLAGE OF HAMILTON
19. NATIVE VILLAGE OF HOOPER BAY
20. NATIVE VILLAGE OF KALSKAG
21. NATIVE VILLAGE OF KIPNUK
22. NATIVE VILLAGE OF KONGIGANAK
23. NATIVE VILLAGE OF KWINHAGAK
24. NATIVE VILLAGE OF MARSHALL
25. NATIVE VILLAGE OF MEKORYUK
26. NATIVE VILLAGE OF NAPAIMUTE
27. NATIVE VILLAGE OF NAPAKIAK
28. NATIVE VILLAGE OF NAPASKIAK
29. NATIVE VILLAGE OF NIGHTMUTE
30. NATIVE VILLAGE OF NUNAM IQUA
31. NATIVE VILLAGE OF NUNAPITCHUK
32. NATIVE VILLAGE OF PAIMIUT
33. NATIVE VILLAGE OF PITKA'S POINT
34. NATIVE VILLAGE OF SAINT MICHAEL
35. NATIVE VILLAGE OF SAVOONGA
36. NATIVE VILLAGE OF SCAMMON BAY
37. NATIVE VILLAGE OF TUNTUTULIAK
38. NATIVE VILLAGE OF TUNUNAK
39. NATIVE VILLAGE OF UNALAKLEET
40. NEWTOK VILLAGE
41. NIKOLAI VILLAGE
42. NUNAKAUYARMIUT TRIBE
43. OHOGAMIUT TRADITIONAL COUNCIL
44. ORGANIZED VILLAGE OF GRAYLING
45. ORGANIZED VILLAGE OF KWETHLUK
46. ORUTSARARMIUT NATIVE VILLAGE
47. OSCARVILLE TRADITIONAL VILLAGE
48. PILOT STATION TRADITIONAL VILLAGE
49. SHAGELUK NATIVE VILLAGE
50. SLEETMUTE TRADITIONAL COUNCIL
51. STEBBINS COMMUNITY ASSOCIATION
52. TAKOTNA VILLAGE
53. TELIDA VILLAGE
54. TULUKSAK NATIVE COMMUNITY
55. UMKUMIUT NATIVE VILLAGE
56. VILLAGE OF ALAKANUK
57. VILLAGE OF ANIAK
58. VILLAGE OF ATMAUTLUAK
59. VILLAGE OF BILL MOORE'S SLOUGH
60. VILLAGE OF CHEFORNAK
61. VILLAGE OF KALTAG
62. VILLAGE OF KOTLIK
63. VILLAGE OF LOWER KALSKAG
64. VILLAGE OF RED DEVIL
65. VILLAGE OF STONY RIVER
66. YUPIIT OF ANDREAFSKI

8.1.2 Table A-2 ANCSA Village Corporations in the BSWI Planning Area

1. AKIACHAK LIMITED
2. ALAKANUK NATIVE CORPORATION
3. ASKINUK CORPORATION
4. AZACHOROK INC
5. BETHEL NATIVE CORPORATION
6. CHEVAK COMPANY CORPORATION
7. CHINURUK INC
8. CHULOONAWICK CORPORATION
9. DELOYCHEET INC (HOLY CROSS)
10. HEE-YEA-LINGDE CORPORATION
11. IQFIJOUAQ COMPANY INC
12. KASIGLUK INC
13. KOKARMUIT CORPORATION

14. KONGNIGKILNOMUIT YUITA CORPORATION
15. KUSKOKWIM NATIVE ASSOCIATION
16. KWETHLUK, INC
17. LIME VILLAGE COMPANY
18. MASERCULIQ INC
19. MTNT LIMITED
20. NAPAKIAK CORPORATION
21. NAPASKIAK CORPORATION
22. NERKLIKMUTE NATIVE CORPORATION
23. NEWTOK NATIVE CORPORATION
24. NIMA CORPORATION
25. NUNAKAUIAK YUPIK CORPORATION
26. NUNAPIGLLURAQ CORPORATION
27. NUNAPITCHUK LTD
28. OSCARVILLE NATIVE CORPORATION
29. PILOT STATION INC
30. PITKA'S POINT NATIVE CORPORATION
31. QANIRTUUQ INC
32. QEMIRTALEK COAST CORPORATION
33. QINARMIUT CORPORATION
34. RUSSIAN MISSION NATIVE CORPORATION
35. SEA LION INC
36. ST MARY'S NATIVE CORPORATION
37. ST MICHAEL NATIVE CORPORATION
38. STEBBINS NATIVE CORPORATION
39. SWAN LAKE CORPORATION
40. THE KUSKOKWIM CORPORATION
41. TULKISARMUTE, INC
42. TUNUNRMIUT RINIT CORPORATION
43. UNALAKLEET NATIVE CORPORATION

8.1.3 Table A-3 ANCSA Regional Corporations in the BSWI Planning Area

1. BERING STRAITS NATIVE CORPORATION
2. BRISTOL BAY NATIVE CORPORATION
3. CALISTA CORPORATION
4. COOK INLET REGION INC
5. DOYON, LTD.

8.1.4 Table A-4 Cities in the BSWI Planning Area

1. CITY OF ALAKANUK
2. CITY OF ANIAK
3. CITY OF ANVIK
4. CITY OF BETHEL
5. CITY OF CHEFORNAK
6. CITY OF CHEVAK
7. CITY OF CHUATHBALUK
8. CITY OF EEK
9. CITY OF EMMONAK
10. CITY OF HOLY CROSS
11. CITY OF HOOPER BAY
12. CITY OF KALSKAG
13. CITY OF KALSKAG
14. CITY OF KOTLIK
15. CITY OF LOWER KALSKAG
16. CITY OF MARSHALL
17. CITY OF MCGRATH
18. CITY OF MEKORYUK
19. CITY OF NAPAKIAK
20. CITY OF NAPASKIAK
21. CITY OF NIGHTMUTE
22. CITY OF NUNAPITCHUK
23. CITY OF PILOT STATION
24. CITY OF RUSSIAN MISSION
25. CITY OF SCAMMON BAY
26. CITY OF SHAGELUK
27. CITY OF ST MARY'S
28. CITY OF ST MICHAEL
29. CITY OF STEBBINS
30. CITY OF TOKSOOK BAY
31. CITY OF UNALAKLEET
32. CITY OF WASILLA

8.1.5 Table A-5 Boroughs in the BSWI Planning Area

1. KENAI PENINSULA BOROUGH
2. LAKE AND PENINSULA BOROUGH
3. MATANUSKA-SUSITNA BOROUGH

8.2 APPENDIX B COMMENTS BY PLANNING ISSUE

Management of Natural Resources

- Issue 1: Non-Native Invasive Threats (plants, aquatic species, terrestrial species)
- Issue 2: Vegetative Communities (Riparian, Forest & Woodland)
- Issue 3: Soil, Water, and Air
- Issue 4: Climate/Climate Change
- Issue 5: Fish and Aquatic Species
- Issue 6: Wildlife
- Issue 7: Special Status Species – Flora and Fauna
- Issue 8: Wildland Fire Ecology and Management
- Issue 9: Cultural Resources
- Issue 10: Paleontological Resources
- Issue 11: Visual Resources
- Issue 12: Wilderness Characteristics

Management of Resource Uses and Activities

- Issue 13: Minerals Management : Leasable Fluid Minerals (Oil and Gas) and Solid Minerals (Coal, Oil Shale, Sodium, Nitrate)
- Issue 14: Minerals Management :Locatable and Salable Minerals (mineral materials: sand, gravel, aggregates / salable: anything non-salable, non-leasable)
- Issue 15: Forestry and Woodland Products
- Issue 16: Livestock Grazing
- Issue 17: Renewable Energy (Wind, Solar, Hydropower, Biomass, Geothermal)
- Issue 18: Lands and Realty
- Issue 19: Recreation, Visitor Services, and Recreation Authorization permits
- Issue 20: Trails and Travel Management, including Off-Highway vehicles

Special Designation of Lands with Special, Critical, or Unique Features or Resource Values

- Issue 21: Areas of Critical Environmental Concern
- Issue 22: Wild and Scenic Rivers
- Issue 23: National Trails

Support Project design features for Lands and Resources

- Issue 24: Interpretation and Environmental Education

Public Safety, Social, Subsistence, and Economic Features

- Issue 25: Subsistence
- Issue 26: Social, Economic (Non-market Values), and Environmental Justice
- Issue 27: Public Safety and Hazardous Materials

8.2.1 Issue 1: Non-Native Invasive Threats (plants, aquatic species, terrestrial species)

Appendix B, Table 1 Issue 1 Non-Native Invasive Plants	
1.	Noxious Weeds and Rare Plants Following vegetation removal, invasive species can also aggressively spread into newly cleared or filled areas. The status of noxious weed projects within the planning area should be described and weed monitoring and control features identified. The RMP/Draft EIS should contain measures that are consistent with Executive Order 13112 on Invasive Species. We suggest including a description of current conditions and Best Management Practices (BMPs) that will be utilized to reduce the likelihood of introduction and spread of invasive species with the proposed management activities. If there are infestations of aquatic invasive plants (floating or submerged in water) in the planning area, the RMP/Draft EIS should include information about such infestations and how they would be managed to prevent further deterioration of water quality within on the planning area. The EPA supports integrated weed management, which would include a mix of control measures, such as cultural, biological, mechanical and chemical techniques. If activities under the RMP may impact native or rare plants, the RMP/Draft EIS should include general locations of rare plants and how these sites will be managed to minimize impacts on the plants.
2.	The State is concerned that managing for lands with wilderness characteristics on BLM lands in the BSWI may impact fire management plans or fire suppression activities such as the use of chainsaws or helicopters. BLM should also consider invasive species management and mitigation that may affect fire suppression activities. The BSWI RMP should acknowledge the important ecological role of wildfire in maintaining wildlife habitat. In addition, through multi-agency cooperation, the BSWI RMP should promote the use of appropriate fuel and vegetation treatments for large areas or stands of decadent timber/shrub that will reestablish early seral stages of habitat.
3.	With climate change BLM must also aid in monitoring the health of the system, by aiding in the identification and prevention of invasive species. Climate change will allow a greater number of species to expand their range and potentially out-compete valuable traditional resources and disrupt the balance of Yukon River basin ecosystems.

8.2.2 Issue 2: Vegetative Communities (Riparian, Forest & Woodland)

Appendix B, Table 2 Issue 2 Vegetative Communities	
1.	Watersheds are critical to be protection to keep waters and habitat is in pristine as in 2013. Unalakleet Wild & Scenic River and run of river needs reservation of water rights to the NVU tribe in perpetuity protection of water and water rights for the local people and all living creatures, plants and a well-protected habitat.
2.	Berry picking occurs all along the coast and up through the Eek Mountains.
3.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional people's customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.
4.	Clean Water Act Section 402 EPA has the responsibility under Section 402 of the Clean Water Act to regulate wastewater discharges to waters of the U.S. through its National Pollutant Discharge Elimination System. Authority has been transferred to the State of Alaska for most discharges to state waters in Alaska, including discharges from storm water and construction storm water. EPA retains oversight of the state program and continues to regulate certain discharges in Alaska. This authority as well as impacts and proposed mitigation associated with anticipated discharges should be discussed in the EIS. More information concerning the Alaska Pollutant Discharge Elimination System program can be found at http://dec.alaska.gov/WATER/npdes/index.htm.
5.	Clean Water Act Section 404 The Bering Sea-Western Interior Planning Area includes large numbers of water bodies and wetlands, many of which are or can be classified as waters of the U.S. We recommend that the EIS include a description of these waters, the general condition of the waters, and if specific proposals for the fill of these waters are anticipated, a draft 404(b)(1) evaluation be included in the EIS. This evaluation should be developed using the Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230)(EPA's 404(b)(1) guidelines). As co-administrator of Section 404 with the U.S. Army Corps of Engineers, we request the opportunity to review and comment on the any draft 404(b)(1) analysis. We also recommend that the analysis be included in the EIS as an appendix, and that the analysis be used to identify the least environmentally damaging practicable alternative (LEDPA), if applicable.
6.	"Habitat, Vegetation, and Wildlife We understand that the RMP is being developed in part to protect wildlife species and habitat. Therefore, we would expect that beneficial and adverse effects on wildlife species and habitat connectivity would be analyzed. We suggest that the RMP/Draft EIS describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the planning area, identify known fish and wildlife corridors, migration routes, and areas of seasonal fish and wildlife congregation. If fish and wildlife, aquatic, and terrestrial habitats will be significantly impacted because of activities under the proposed RMP, then the RMP/Draft EIS should include mitigation measures to minimize the impacts. Vegetation removal and access roads create obstacles to animals migrating through the area, such as caribou. Cleared areas and roads deter terrestrial animals from crossing due to lack of cover, reduced forage and browsing opportunities for species, changes in wildlife migration patterns, and occasional human activity in these areas. Cleared areas also create edge effects that likely favor several bird and wildlife species. Therefore, the RMP/Draft EIS should discuss: a) Effects on habitat fragmentation and the creation of edge effects favoring some species, including mitigation measures. b) Extent of vegetation removal, whether the removal would occur on steep slopes, in or near riparian areas, and where soil damage was particularly severe due to previous activities.

Appendix B, Table 2 Issue 2 Vegetative Communities	
	c) How vegetation removal would support retention of vegetation structures that are important for wildlife migration, recruitment and dispersal, rearing and feeding."
7.	Noxious Weeds and Rare Plants Following vegetation removal, invasive species can also aggressively spread into newly cleared or filled areas. The status of noxious weed projects within the planning area should be described and weed monitoring and control features identified. The RMP/Draft EIS should contain measures that are consistent with Executive Order 13112 on Invasive Species. We suggest including a description of current conditions and Best Management Practices (BMPs) that will be utilized to reduce the likelihood of introduction and spread of invasive species with the proposed management activities. If there are infestations of aquatic invasive plants (floating or submerged in water) in the planning area, the RMP/Draft EIS should include information about such infestations and how they would be managed to prevent further deterioration of water quality within on the planning area. The EPA supports integrated weed management, which would include a mix of control measures, such as cultural, biological, mechanical and chemical techniques. If activities under the RMP may impact native or rare plants, the RMP/Draft EIS should include general locations of rare plants and how these sites will be managed to minimize impacts on the plants.
8.	"Wetlands and Riparian Areas As stated above, the RMP/Draft EIS should describe all waters of the U.S. that could be affected by the RMP/Draft EIS alternatives, and include maps that clearly identify all waters within the planning area. The document should include data on acreages and channel lengths, habitat types, values, and functions of these waters. Projects affecting waters of the U.S. would need to comply with CWA Section 404 requirements. Section 404 regulates the discharge of dredged or fill material into waters of the U.S., including wetlands and other special aquatic sites. The U.S. Army Corps of Engineers issues Section 404 permits using EPA guidelines. If anticipated projects under the RMP/Draft EIS would involve discharge of dredged or fill material into waters of the U.S., the RMP/Draft EIS should include information regarding alternatives to avoid the discharges or how potential impacts caused by the discharges would be minimized and mitigated. This discussion would include the following elements: a) Acreage and habitat type of waters of the U.S. that would be created or restored. b) Water sources to maintain the mitigation area. c) Re-vegetation plans, including the numbers and age of each species to be planted, as well as special techniques that may be necessary for planting. d) Maintenance and monitoring plans, including performance standards to determine mitigation success. e) Size and location of mitigation zones. f) Parties that would be ultimately responsible for the plan's success. g) Contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation. Activities affecting floodplains are also regulated under the CWA Section 404 and Executive Order 11988, Floodplain Management. The RMP/Draft EIS should include information explaining why specific activities would be located in floodplains, what alternatives were considered, and the steps to be taken to minimize impacts to floodplains. Floodplains perform a vital function of conveying and dissipating the volume and energy of peak surface runoff flows downstream. Periodic flood flows therefore form and sustain specific habitat types such as wetland and riparian areas within floodplains. Because of that, unimpaired flood flows should be preserved and flood-related damage to downstream resources should be prevented."
9.	"Cumulative Impacts In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources

Appendix B, Table 2 Issue 2 Vegetative Communities	
	of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities."
10.	"Air and Atmospheric Values, Soil and Water, Vegetation Any restriction on a given activity observed to unreasonably impact a resource should be justified and based on scientific data, and any system of remediation should be selected and directed based on the specific disturbance mechanism. We recommend BLM consider water table and permafrost monitoring be added to the BSWI Issues to be Considered, list of Management of Resources."
11.	"Wildland Fire Management Fire management in the BLM Anchorage District has become confusing and inconsistent in the past several years. Many of the duties of the former Anchorage District have been delegated to the Alaska Fire Service (AFS). Fire response planning levels on many of the BLM lands involved in the BSWI planning area were set in the initial interagency planning process thirty years ago and have not been formally reviewed since. The planning areas include the Tanana Minchumina Plan (1982), Kuskokwim Iliamna Plan (1983), and Yukon Togiak Plan (1984). The State requests the BSWI RMP include a review of current fire protection levels on BLM land to determine if they are still applicable, or in need of change. To date there has been a lack of consistency on the use of fire retardant on BLM lands in Southwest area of the state. We are very concerned with, and oppose, any policy that may uniformly prohibit the use of aerial fire retardant during the 'initial attack' of fires on BLM land as it is an issue of firefighter safety. Due to the very remote nature of these lands, we may put people on the ground without the ability to recover them quickly. The use of fire retardant in the initial attack of a fire allows us to secure a 'safety area' in which firefighters may take refuge if changing fire behavior warrants. We request that use of aerial fire retardant on BLM lands be addressed in the BSWI RMP. In the Alaska Master Cooperative Wildland Fire Management and Stafford Act Response Agreement, land managers (jurisdictional agencies) are required to develop and maintain 'Known Sites' databases to assist in the fire management process. This known sites database identifies sites as well as their protection status. BLM's Alaska Wildland Fire Structure Protection Policy is covered in IM AK 2007-033 (attached). Will an updated 'known sites' database be a product of the BSWI RMP? In reading the posted public comment from community meetings conducted for the BSWI RMP, most seemed to be concerned with traditional use for subsistence on BLM land, or having access to cross BLM land for access of these traditional use areas. The State recommends that BLM update the 'known sites' database to include sites associated with these activities such as 'trap' or shelter cabins. The State is concerned that managing for lands with wilderness characteristics on BLM lands in the BSWI may impact fire management plans or fire suppression activities such as the use of chainsaws or helicopters. BLM should also consider invasive species management and mitigation that may affect fire suppression activities.

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	The BSWI RMP should acknowledge the important ecological role of wildfire in maintaining wildlife habitat. In addition, through multi-agency cooperation, the BSWI RMP should promote the use of appropriate fuel and vegetation treatments for large areas or stands of decadent timber/shrub that will reestablish early seral stages of habitat."
12.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
13.	"Climate Change Boreal Forest Health and Habitat Protection" Cold-climate ecosystems and health of the Boreal Forest are often not fully understood. The following material taken from Ecotoxicology and Climate, edited by P. Bourdeau, J.A. Haines, W. Klein and C.R. Krishna Murti, published by John Wiley & Sons, Ltd., Effects in Arctic and Subarctic Systems, by Dr. R. Miller provides an excellent explanation of the complexities of the system: The features dominating cold-climate ecosystems are primarily those of low energy fixation and harsh environmental conditions. In terms of energy, the sun is low in the horizon at the best of times, and its radiant energy strikes the earth a 'glancing blow'. In addition, the high albedo of the snow causes a good deal of solar radiation to be immediately reflected. The growing season is short, uniformly small, and productivity is low, ranging from a few percent to less than half of one per cent of the corresponding crop in a temperate climate. Adaptation mechanisms are abundant; on finds plants growing in rosettes and cushions, storing much more of their energy in roots than their temperate counterparts, developing waxy cuticles, and so forth. Nonetheless, since they have no way to escape or hide from conditions, as hibernating animals can, the plants are generally under extreme stress and the ecosystem has practically no 'resilience' in the ecological sense. The decreased primary production is the fundamental limitation of the cold environment ecosystem. Such animals and birds as choose to live there generally have adaptation mechanisms that are quite effective, as long as the food supply is adequate. Some, like the bear and caribou, develop heavy lipid layers and extremely effective fur to prevent energy loss. Some simply migrate to warmer regions; some small animals live under the snow cover, which is itself rather effective insulation; and some hibernate, thus decreasing their energy requirements sharply."
14.	"Climate Change Boreal Forest Health and Habitat Protection The Boreal Forest ecosystem health benefits extend well beyond the arctic regions. As noted by the BLM in 2008 within the Bering Sea Western Interior Preparation Plan, the boreal forest (Tayga) is the biggest terrestrial ecosystem in the world. BLM goes on to say that like the Amazon, the boreal forest is critical to sustaining a healthy global environment. The boreal forest is often referred to as the "lungs of the planet," and has a daily rhythm of taking in carbon dioxide and expelling oxygen. In addition to generating oxygen, this process makes the boreal forest a store house for carbon dioxide. Its trees and peat lands comprise one of the world's largest carbon reservoirs as it takes in more carbon dioxide that it releases. In addition to global oxygen generation and carbon retention, the boreal forest ecosystem is a green belt of conifer and deciduous trees that acts as part of the largest source and filter of fresh water on the planet. The lack of access to fresh water is increasing becoming an issue of environmental concern throughout the world. Forty percent of the nations' fresh water resource, as opposed to clean water within the meaning of the Clean Water Act, is in Alaska. Juday et al. (1998) outlines the potential effects of climate change on boreal forests in Alaska. Of particular importance to the Bering Sea Western Interior Planning Area would be: 1) decreases in moisture sufficient for forest growth; 2) continued or expanded tree mortality from insect outbreaks; 3) fire intensity and frequency;

Appendix B, Table 2 Issue 2 Vegetative Communities	
	4) spruce reproduction; and, 5) changes in habitat associated with permafrost thawing. How will the BLM address these issues and impacts during the next management cycle and how is the BLM looking beyond the next 15 years to anticipate changes in key wildlife and habitat resources to help them adapt to rapidly changing conditions? We recommend the initiation or continued monitoring of daily and seasonal weather patterns, including but not limited to max/min/mean daily temperatures, growing degree days and frost-free season length as important parameters for understanding changes in forest ecology that need to be incorporated into management decisions."
15.	"Climate Change Boreal Forest Health and Habitat Protection Climate change models tell us that boreal forests are in grave danger. It is important to identify significant ecological habitat within the planning area for protection, particularly within river corridors, for fire-suppression management. BLM must carefully manage timber harvesting in the planning area – only allowing subsistence harvests and targeted biomass harvest projects. Further, there is significant caribou habitat within the planning area. Thus, a comprehensive understanding of the cumulative impacts of fire, climate change, landcover and habitat are needed. Such an analysis needs to be based on the best available quantitative data, and should attempt to identify critical thresholds for habitat and caribou populations. We refer the BLM to the Western Arctic Caribou Herd Working Group research and recommendations and Rupp et al. 2002 and 2006 as examples of the types of analysis that can inform the BLM's planning efforts. We encourage BLM to partner with some of the researchers working on such issues in Alaska. For example, Dr. Rupp directs the Scenarios Network for Alaska Planning (SNAP) program at UAF, which can help specify hypothesis regarding fire, climate and vegetation that can be tested in the land management plan. Historically, resource and wildlife managers have been able to plan around known species distributions, derived from long term observations and monitoring. However, it is not clear if these same places will support the same populations as the climate changes. Various studies have shown evidence that climate change could alter the distribution or quality of caribou habitat10 and lead to reduction in lichens used as a winter food source.11 There is also the uncertainty associated with how temperature, precipitation and other climatic variables (e.g., cloudiness, evaporation, wind speed, etc.) will change, and if past or present rates of change are truly precedent for the future."
16.	"Climate Change Boreal Forest Health and Habitat Protection Wildlife diversity is critical for healthy systems. Boreal song birds, caribou, moose, bear and other animal populations of the interior know no boundaries of state, federal or private lands. In order to enhance/maintain populations and habitat goals both on BLM and adjacent lands, efforts must be coordinated to prevent undermining ongoing efforts. For example, migration corridors for the Teshekpuk and Western Arctic Caribou herds require close partnerships with stake-holders. According to Alaska Department of Fish and Game's letter to the Alaska Climate Impact Assessment Commission: 'Changes in species distribution and behavior may necessitate adjustments of management plans and harvest regulations.' 'The effect of climate change on wildfires is of great interest and concern, since over much of Alaska fire is the predominant habitat change agent and since our main big game species are fire adapted in different was. Similarly, we may see a trend where the boreal forest will transition toward grasslands, which would favor a different species mix.' 'It will be important to monitor species expanding their ranges into Alaska that could impact hunted species and other wildlife with conservation concerns.' With climate change BLM must also aid in monitoring the health of the system, by aiding in the identification and prevention of invasive species. Climate change will allow a greater number of species to expand their range and potentially out-compete valuable traditional resources and disrupt the balance of Yukon River basin ecosystems. We recommend that the BLM review the Alaska Department of Fish and Game's Comprehensive Wildlife Conservation Strategy, 'Our Wealth Maintained: A Strategy for Conserving Alaska's Diverse Wildlife and Fish Resources' (Attachment B). This document is a resource for prioritizing habitat and wildlife species, and has information which will help better collaborate with ongoing state-based efforts."

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17.	"Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'"
18.	"Off Highway Vehicle Management Recreational OHV use has had major impacts on the planning area. The scarring damage on vegetation and sensitive tundra needs to be ended and strong preventative measures and enforcement need to be put in place. 'Degraded trails are a significant environmental problem because of their direct effects on vegetation, soils and site hydrology.' There are also associated effects on wildlife and esthetics. (Meyer, 2002) Our organizations recommend the study Managing Degraded Off-Highway Vehicle Trails in Wet, Unstable and Sensitive Environments, from USDA Forest Service written by Kevin G. Meyer. Meyer prescribes many ways to deal with and prevent trail degradation including: location documentation, condition assessment, improvement prescriptions, implementation and maintenance and monitoring. Further, our organizations feel that there is ample access for OHV uses in the planning area. Ongoing management for these areas needs to be improved to prevent the continued abuse of OHV users and maintain a high quality environment for future users."
19.	"Roads, General Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion. Roads can cause disruptions in the physical and chemical environments surrounding it, which can affect the health of lichen and animals that consume it. Roads and traffic cause physical harm to lichens and mosses as well as spread dust that can settle on plants blocking photosynthesis, respiration, and transpiration (Auerbach 1997, Ecological Applications "Effects of Roadside disturbance on Substrate and Vegetation Properties in Arctic Tundra."). Roads can also impact plants by introducing heavy metal deposition, salt accumulation, and by organic molecules like ozone and nutrients into the area. The National Park Service conducted a study in 2004 on cadmium and lead deposition on lands near Red Dog Mine and found heavy metals at their highest concentrations in plants nearest the road, and that decreased with distance. Heavy metals can accumulate in plants and then move up the food chain eventually to humans. If new roads are considered, the accumulated uses of the road, like the hauling of minerals or coal, is an important factor to consider. Building permanent gravel roads creates unnecessary access to wild lands, disturbs vegetation, and breaks up habitat. The proposed road will

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	have both direct and indirect impacts. One of the major impacts of roads on tundra is that they melt permafrost and increase the depth of the tundra's active layer, leading to thermokarst adjacent to roads.16 Dust shadows on the leeward side of roads can accelerate snow melt and alter the surrounding plant communities, while drifted snow on the windward sides of roads can delay snowmelt, and the damming effects of roads can create impoundments.17 According to the NRC, "the area affected by thermokarst and impoundment associated with gravel fill is approximately double the area covered by gravel."""
20.	"Proposed Pipeline It is estimated that the proposed Donlin Gold mine would require an average load of 157 megawatts. To provide the amount of power required to operate the mine at peak capacity, a 14 inch, 312 mile long buried pipeline to transport natural gas from the Cook Inlet region to the mine site is being considered. This would be an alternative to barging in diesel fuel from Bethel. If the pipeline is included in development, approximately two barges per day would take small amounts of diesel fuel and camp supplies from Bethel to a port site approximately eight miles downriver from Crooked Creek, and would then be transported on a 30 mile access road to the mine site. Many other options to provide power such as coal, hydroelectricity, a power line intertie, biofuel, and even nuclear energy, were considered during the feasibility analysis but did not meet the current needs of the project. This infrastructure and energy requirement for the Donlin Creek Gold mine must be considered in the short and long term impact analysis to BLM lands."
21.	"MINERAL DEVELOPMENT AND ANCSA (D)(1) WITHDRAWALS Recommendation: Wholesale lifting of the (D)(1) withdrawals is not recommended for the following substantive reasons: a) The original reason for the ANCSA 17 (D)(1) withdrawals still remains as final selection and conveyance of selected lands to Native Corporations and the State of Alaska has not been completed; b) The State of Alaska is over-selected in its land allocation, meaning that millions acres of federal land have been selected in excess of the State's lawful allocation. The State has not received conveyance through tentative approval or patent from the federal government for these lands as the state must decide which acres it will release from selection; c) Wholesale lifting of millions of acres of withdrawals on public land is irresponsible management that encourages development speculation; and d) It has been shown legally possible to retain (D)(1) withdrawals as was done in BLM Alaska's East Plan."
22.	"Recognizing that fire is a normal part of the ecology of the arctic ecosystem and is important for maintaining a diverse landscape, the RMP should include provisions to evaluate the effects of fire on caribou habitat and identify a suite of fire management strategies that BLM and adjacent landowners can adopt. Actions identified in the RMP should include: a) Ensuring the fire-retardants used to suppress fire do not have harmful effects on the ecosystem, as these effects can concentrate in the caribou through grazing and drinking affected water. b) Managing for various-aged lichen stands in caribou winter range, recognizing the importance of old growth lichen ranges. c) Regularly reviewing and evaluating agency fire management plans and fire management options to ensure they reflect the best interest of the Western Arctic herd. d) Working at a landscape level with other land managers to allow caribou the ability to shift their seasonal ranges in response to environmental variability."
23.	"Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orange colored flow was seen entering the Middle Fork of Red Dog Creek near the mine,

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and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities. 8 subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities."

Appendix B Table 2B Issue 2B Riparian Vegetation	
1.	We understand that the RMP is being developed in part to protect wildlife species and habitat. Therefore, we would expect that beneficial and adverse effects on wildlife species and habitat connectivity would be analyzed. We suggest that the RMP/Draft EIS describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the planning area, identify known fish and wildlife corridors, migration routes, and areas of seasonal fish and wildlife congregation. If fish and wildlife, aquatic, and terrestrial habitats will be significantly impacted because of activities under the proposed RMP, then the RMP/Draft EIS should include mitigation measures to minimize the impacts. Vegetation removal and access roads create obstacles to animals migrating through the area, such as caribou. Cleared areas and roads deter terrestrial animals from crossing due to lack of cover, reduced forage and browsing opportunities for species, changes in wildlife migration patterns, and occasional human activity in these areas. Cleared areas also create edge effects that likely favor several bird and wildlife species. Therefore, the RMP/Draft EIS should discuss: a) Effects on habitat fragmentation and the creation of edge effects favoring some species, including mitigation measures. b) Extent of vegetation removal, whether the removal would occur on steep slopes, in or near riparian areas, and where soil damage was particularly severe due to previous activities. c) How vegetation removal would support retention of vegetation structures that are important for wildlife migration, recruitment and dispersal, rearing and feeding.
2.	As stated above, the RMP/Draft EIS should describe all waters of the U.S. that could be affected by the RMP/Draft EIS alternatives, and include maps that clearly identify all waters within the planning area. The document should include data on acreages and channel lengths, habitat types, values, and functions of these waters. Projects affecting waters of the U.S. would need to comply with CWA Section 404 requirements. Section 404 regulates the discharge of dredged or fill material into waters of the U.S., including wetlands and other special aquatic sites. The U.S. Army Corps of Engineers issues Section 404 permits using EPA guidelines. If anticipated projects under the RMP/Draft EIS would involve discharge of dredged or fill material into waters of the U.S., the RMP/Draft EIS should include information regarding alternatives to avoid the discharges or how potential impacts caused by the discharges would be minimized and mitigated. This discussion would include the following elements: a) Acreage and habitat type of waters of the U.S. that would be created or restored. b) Water sources to maintain the mitigation area. c) Re-vegetation plans, including the numbers and age of each species to be planted, as well as special techniques that may be necessary for planting. d) Maintenance and monitoring plans, including performance standards to determine mitigation success. e) Size and location of mitigation zones. f) Parties that would be ultimately responsible for the plan's success. g) Contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation. Activities affecting floodplains are also regulated under the CWA Section 404 and Executive Order 11988, Floodplain Management. The RMP/Draft EIS should include information explaining why specific activities would be located in floodplains, what alternatives were considered, and the steps to be taken to minimize impacts to floodplains. Floodplains perform a vital function of conveying and dissipating the volume and energy of peak surface runoff flows downstream. Periodic flood flows therefore form and sustain specific habitat types such as wetland and riparian areas within floodplains. Because of that, unimpaired flood flows should be preserved and flood-related damage to downstream resources should be prevented.

Appendix B Table 2B Issue 2B Riparian Vegetation	
3.	Recreational OHV use has had major impacts on the planning area. The scarring damage on vegetation and sensitive tundra needs to be ended and strong preventative measures and enforcement need to be put in place. 'Degraded trails are a significant environmental problem because of their direct effects on vegetation, soils and site hydrology.' There are also associated effects on wildlife and esthetics. (Meyer, 2002) Our organizations recommend the study Managing Degraded Off-Highway Vehicle Trails in Wet, Unstable and Sensitive Environments, from USDA Forest Service written by Kevin G. Meyer. Meyer prescribes many ways to deal with and prevent trail degradation including: location documentation, condition assessment, improvement prescriptions, implementation and maintenance and monitoring. Further, our organizations feel that there is ample access for OHV uses in the planning area. Ongoing management for these areas needs to be improved to prevent the continued abuse of OHV users and maintain a high quality environment for future users.
4.	Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion. Roads can cause disruptions in the physical and chemical environments surrounding it, which can affect the health of lichen and animals that consume it. Roads and traffic cause physical harm to lichens and mosses as well as spread dust that can settle on plants blocking photosynthesis, respiration, and transpiration (Auerbach 1997, Ecological Applications "Effects of Roadside disturbance on Substrate and Vegetation Properties in Arctic Tundra."). Roads can also impact plants by introducing heavy metal deposition, salt accumulation, and by organic molecules like ozone and nutrients into the area. The National Park Service conducted a study in 2004 on cadmium and lead deposition on lands near Red Dog Mine and found heavy metals at their highest concentrations in plants nearest the road, and that decreased with distance. Heavy metals can accumulate in plants and then move up the food chain eventually to humans. If new roads are considered, the accumulated uses of the road, like the hauling of minerals or coal, is an important factor to consider. Building permanent gravel roads creates unnecessary access to wild lands, disturbs vegetation, and breaks up habitat. The proposed road will have both direct and indirect impacts. One of the major impacts of roads on tundra is that they melt permafrost and increase the depth of the tundra's active layer, leading to thermokarst adjacent to roads.16 Dust shadows on the leeward side of roads can accelerate snow melt and alter the surrounding plant communities, while drifted snow on the windward sides of roads can delay snowmelt, and the damming effects of roads can create impoundments.17 According to the NRC, "the area affected by thermokarst and impoundment associated with gravel fill is approximately double the area covered by gravel."
5.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional peoples customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.

8.2.3 Issue 3: Soil, Water, and Air

Appendix B Table 3 Issue 3 Soil, Water, and Air	
1.	The Bering Sea Western Interior [BSWI] Resource Management (RMP) is important to myself and all the indigenous peoples and residents who live in the region and utilize all of the natural renewable resources that live and thrive in this region. These resources include sea mammals, land mammals and all animals, plus vegetation and marine, riverine and lake dwelling fishes and water dependent life. My ancestors, who trace their roots to the time the Creator of all Universe placed our first people here to live, thrive and utilize all that he placed here for his people--this is the wisdom and cultural values we base our life here. We are to care for and utilize all that the land, sea and air provides for us and to wisely harvest so that all resources are sustainable. This is the heart of our subsistence use of this specific region that is under the care of BLM. In 1951 the Native Village Council responded to the Presidential Executive Order to file a claim for lands used by the native peoples under the Indian Claims Commission. The NVU timely filed a traditional use and occupancy for 9 million acres of land encompassing the native villages of Koyuk, Shaktoolik, Unalakleet, St. Michael and Stebbins, Alaska which includes land, air space and (45) forty-five miles out to sea. This 9 million acres is necessary to allow the five (5) tribes to harvest for needs to feed, clothe and sustain a culturally relevant life we share. Now in 2013 the need for a large area to sustain life in these villages is still relevant. Further with climate change these areas may need to be expanded. Also without clean air, clean water, eroding land, melting permafrost adds more challenge to the people and the resources. The 9 million acres above states goes from Koyuk, Alaska in the north to near Kaltag to the east and Pastolik to the south and Norton Sound to the west.
2.	Watersheds are critical to be protection to keep waters and habitat is in pristine as in 2013. Unalakleet Wild & Scenic River and run of river needs reservation of water rights to the NVU tribe in perpetuity protection of water and water rights for the local people and all living creatures, plants and a well protected habitat.
3.	Subsistence is the highest priority use for the land, sea, rivers and air. The subsistence economy as defined by local aboriginal people is the only economy that is dependent on individual and group harvesting activities. All food and living natural resources that people use are generally migratory. Historic use by our people has been the use of land, water and air is one hundred mile radius from Unalakleet. Marine mammals, land animals, migratory birds are used for food. I recommend that Alaska Native Tribal members be exempt from licenses, permits and duck stamps for subsistence traditional harvests. Bag limits and seasons should be modified for Alaska Native Tribal members. Each tribe should be able to harvest enough food for the winter. Weather is a determining factor in the preservation of food. Our people need to have clean water in the rivers, streams lakes and ocean. We are dependent on fish, birds, and other animals; these resources need clean water land & air.
4.	We are concerned about the impact to water resources from mining and new access roads to new mining sites including the road to Ambler.
5.	I haven't heard any specific discussion about water rights. I note that the BLM or the federal government potentially contains federal reserve water rights that haven't been adjudicated. I believe ANILCA provisions require or authorize the federal government to pursue in-stream flows on behalf of Tribal governments. Is there going to be a discussion on that in the plan?
6.	Many of the lands along the river banks are TKC lands and are open only to TKC shareholders unless by special permit; makes the BLM lands that much more valuable
7.	Concern was expressed about mercury in the Kuskokwim River
8.	Map Suggestion: missing a creek that flows north from the Kuskokwim between Upper Kalskag and Aniak onto BLM lands. This creek is used during high

Appendix B Table 3 Issue 3 Soil, Water, and Air	
	water years to access moose on BLM lands.
9.	Energy costs + TKC rules have resulted in high-water harvest phenomenon (since no one owns the high-water). During high water, people will go cut timber right on the banks of the river – in addition to gathering the timber that has been washed downriver and is lying on the banks or islands.
10.	Map Suggestions: modify legend to show Withdrawals on BLM-unencumbered with orange/gold background. Add Napaimute to map. Missing a creek that flows north from the Kuskokwim between Upper Kalskag and Aniak onto BLM lands. This creek is used during high water years to access moose on BLM lands.
11.	Interest in watershed impacts to salmon spawning areas (e.g., potential consideration for ACEC)
12.	There is nothing ACEC-like that protects salmon spawning, where do the salmon spawn? Are there areas on BLM lands that might be good for an ACEC?
13.	River traffic from Lower Kuskokwim villages is common very far upriver, above Bethel, for moose hunting
14.	Keep development from occurring near rivers/creeks
15.	Concerned that the game will move upland in response to increased barge traffic/disturbance
16.	People travel far downriver to the Kuskokwim Delta to hunt waterfowl and trap muskrats.
17.	A resident expressed interest in whether a water study has ever been conducted on the streams flowing from the Flat-area toward the Innoko River?
18.	Indicated that some of these lakes dry out in the winter, more research needed to confirm this.
19.	Concerns were raised over the health of the river and watersheds if activities are allowed on the land that could harm their water.
20.	Proposed Road - concerns raised over the Association of Village Council Presidents (AVCP)-proposed road from Kalskag to the Yukon River Paimut Slough. Community members were told that only business traffic would use the road and it would be closed to other travel, though they are concerned that it will not be patrolled and that has the potential to increase local fishing and hunting pressure. The community members desire access to the road, if built, for subsistence purposes.
21.	Concerns were raised about air quality with local wildfires if they are managed to let the fire burn. A past fire was not suppressed and the community air quality was really bad.
22.	Not supportive of mining on BLM lands close to RM as the toxicity can disorient the fish and the runoff from mining lands would reach the Yukon River.
23.	Located up the Yukon River from RM, past Kako Creek and past Stuyahok Creek. Mountain Creek is the next drainage upriver from Stuyahok Creek and it joins the Yukon on Fish and Wildlife Service (FWS) land, then the rest of it is on BLM unencumbered and state-selected BLM (not labelled on the map).
24.	We have problems with the sunken barge there. The barge was delivering materials back in the 1920's to Stuyahok and it sunk (up Mountain Creek). It is a safety hazard. Boaters hit the sunken barge in lower water and ruin their boats.
25.	We need clean water and clean air to support subsistence resources
26.	About 99 allotments exist along the Unalakleet River. Concern was expressed for potential management agreement between the State of Alaska and the BLM over river/water management. The BLM and state should manage the river in partnership. The Native Village of Unalakleet indicated they would be willing to be part of any future management agreement.
27.	Q: What is the status of the water rights on the Unalakleet? A: The BLM installed stream gauges on the Main Unalakleet River in the past to document stream flow and apply for the minimum flow water right for maintaining spawning fish habitat and the values for which the river was designated as "wild." Permit status with the SoA currently unknown.

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28.	The most important resource in the Unalakleet River and all its tributaries/watershed is the fresh clean water because it supports all life forms. "It provides clean water and clean land" that support fish, berry, bear, and firewood resources.
29.	Per our directive from Elders, past to present, No Resource Extraction on the Eek River
30.	Any man-made object to disturb any natural flow of water is gravely discouraged.
31.	Loss of land bridges between lakes just south of Eek have given way to tidal waters and erosion has made its way to the new airport, and is making its way to the open unpermitted dumpsite 800' from the school.
32.	Reports following sampling of lands adjacent to and drainage around the open dumpsite, are cause for great concern.
33.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional peoples customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.
34.	The Yukon and Kuskokwim Rivers fan out into a vast river delta that supports one of the largest aggregations of water birds in the world. Waterfowl from all four North American flyways depend on the wetland habitats of the Yukon-Kuskokwim (YK) Delta. Annually, over one million ducks and half a million geese breed here. Critical habitat for two Threatened and Endangered species, Spectacled and Steller's Eiders, occurs on the YK Delta. In addition, nearly 40,000 loons, 40,000 grebes, 100,000 swans, and 30,000 cranes return to nest on the Refuge each spring. Millions of shorebirds use the Refuge for both breeding and staging. In terms of both density and species diversity, the YK Delta is the most important shorebird nesting area in the country, and its vast intertidal zone is the most important wetland for post-breeding shorebirds on the west coast of North America. The YK Delta has been acknowledged as a wetland of international importance. The geographic extent of impacts to the Rivers' water quality, water quantity, timing, and biota extends beyond the mouth of the Delta as these Rivers export vast amounts of water, nutrients, and other materials into the shallow waters of the Bering Sea. The Bering Sea supports internationally important fisheries and marine mammal populations and several Threatened and Endangered marine species (polar bear, Steller sea lion, and several species of whale), which could be affected by changes in sedimentation rates or contaminants in the Rivers.
35.	"The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis

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	for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities."
36.	Clean Water Act Section 404 The Bering Sea-Western Interior Planning Area includes large numbers of waterbodies and wetlands, many of which are or can be classified as waters of the U.S. We recommend that the EIS include a description of these waters, the general condition of the waters, and if specific proposals for the fill of these waters are anticipated, a draft 404(b)(1) evaluation be included in the EIS. This evaluation should be developed using the Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials (40 CFR 230)(EPA's 404(b)(1) guidelines). As co-administrator of Section 404 with the U.S. Army Corps of Engineers, we request the opportunity to review and comment on the any draft 404(b)(1) analysis. We also recommend that the analysis be included in the EIS as an appendix, and that the analysis be used to identify the least environmentally damaging practicable alternative (LEDPA), if applicable.
37.	Water Resources Water quality degradation is one of the EPA's primary concerns. Section 303(d) of the Clean Water Act (CWA) requires the State of Alaska to identify water bodies that do not meet water quality standards and to develop water quality restoration plans to meet the state and tribal water quality criteria and associated beneficial uses. The RMP/Draft EIS should disclose which waters may be impacted, the nature of potential impacts, and specific pollutants likely to impact those waters. It should also report those water bodies potentially affected by the RMP that are listed on the State of Alaska's most current EPA-approved 303(d) lists. The RMP/Draft EIS document should describe existing restoration and enhancement efforts for those waters, how the RMP will coordinate with on-going protection efforts, and any mitigation measures that will be implemented to avoid further degradation of water quality within impaired waters. Please also note that anti-degradation provisions of the CWA apply to those water bodies where water quality standards are currently being met. The provisions prohibit water quality degradation unless an important economic and social development activity required such degradation. The RMP/Draft EIS evaluation should determine how the anti-degradation provisions would be met. Public drinking water supplies and/or their source areas exist in many watersheds. If source water areas exist within or around the planning area, the 1996 amendments to the Safe Drinking Water Act (SDWA) require federal agencies to protect sources of drinking water for communities. Because of that, the EPA recommends the BLM contact the Alaska Department of Environmental Conservation (ADEC) to obtain information about source water areas in and around the planning area. If activities under the proposed RMP could affect drinking water, the RMP/Draft EIS should discuss contaminants of concern and the measures that would be taken to protect drinking water and source areas. Land disturbance, material storage, waste disposal, inadvertent chemical or hazardous liquid spills, and compaction produced by vehicular traffic can all affect water quality.
38.	Roads and Trails, and Their Use Roads and trails contribute more sediment to streams than any other management activity and interrupt the subsurface flow of water, particularly where they cut into steep slopes. Roads and trails also contribute to habitat fragmentation, wildlife disturbance, introduction or exacerbation of noxious weeds, and increased fire danger from recreational activities. The RMP/Draft EIS should include a description of how roads and trails in the planning area impact resources and provide the current number of road/trail miles and density including an estimate of the amount of any off-road vehicle usage. It should also evaluate the change in road miles and density that will occur because of the RMP activities and predicted impacts to water quality.
39.	"Wetlands and Riparian Areas As stated above, the RMP/Draft EIS should describe all waters of the U.S. that could be affected by the RMP/Draft EIS alternatives, and include maps that clearly identify all waters within the planning area. The document should include data on acreages and channel lengths, habitat types, values, and functions of these waters. Projects affecting waters of the U.S. would need to comply with CWA Section 404 requirements. Section 404 regulates the discharge of dredged or fill material into waters of the U.S., including wetlands and other special aquatic sites. The U.S. Army Corps of Engineers issues Section 404 permits using EPA guidelines. If anticipated projects under the RMP/Draft EIS would involve

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	discharge of dredged or fill material into waters of the U.S., the RMP/Draft EIS should include information regarding alternatives to avoid the discharges or how potential impacts caused by the discharges would be minimized and mitigated. This discussion would include the following elements: a) Acreage and habitat type of waters of the U.S. that would be created or restored. b) Water sources to maintain the mitigation area. c) Re-vegetation plans, including the numbers and age of each species to be planted, as well as special techniques that may be necessary for planting. d) Maintenance and monitoring plans, including performance standards to determine mitigation success. e) Size and location of mitigation zones. f) Parties that would be ultimately responsible for the plan's success. g) Contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation. Activities affecting floodplains are also regulated under the CWA Section 404 and Executive Order 11988, Floodplain Management. The RMP/Draft EIS should include information explaining why specific activities would be located in floodplains, what alternatives were considered, and the steps to be taken to minimize impacts to floodplains. Floodplains perform a vital function of conveying and dissipating the volume and energy of peak surface runoff flows downstream. Periodic flood flows therefore form and sustain specific habitat types such as wetland and riparian areas within floodplains. Because of that, unimpaired flood flows should be preserved and flood-related damage to downstream resources should be prevented. "
40.	Air Quality Our review of the NOI was conducted in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA). Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Please see Enclosure 1 for more information concerning Section 309. In addition to enclosure 1 (not included here), the RMP/Draft EIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), and criteria pollutant non-attainment areas in the planning area and vicinity. The analysis should estimate emissions of criteria pollutants for the RMP/Draft EIS area and discuss the timeframe for release of these emissions over the lifespan of the RMP. Also, the document should include analyses of the potential impacts to air quality (including cumulative and indirect impacts) from the RMP projects, especially those involving construction activities. The RMP/Draft EIS should specify emission sources and quantify these emissions. Such an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality. For proposed oil and gas activities on BLM or other federal lands in the planning area subject to the June 2011 Interagency Memorandum of Understanding for Air Quality Analysis and Mitigation for Federal Oil and Gas Decisions through the National Environmental Act Process, such analysis should be conducted as appropriate.
41.	Climate Change Effects Currently, there is concern that continued increases in greenhouse gas emissions resulting from human activities contribute to climate change. Effects of climate change may include changes in hydrology, sea level, weather patterns, precipitation rates, and chemical reaction rates. The RMP/Draft EIS document should therefore consider how resources affected by climate change could potentially influence the RMP/Draft EIS alternatives and mitigation opportunities, and vice versa, especially within sensitive areas. The RMP/Draft EIS should also quantify and disclose greenhouse gas emissions from potential activities under the plan and discuss mitigation measures to reduce emissions.
42.	"Cumulative Impacts In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time

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	over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities."
43.	State Planning Efforts For information on State management authorities, and language that can be incorporated into the plan if desired, please see the attached "Select State Tools" document, dated December 2010. This document helps to illuminate some of the many jurisdictional issues that are often overlooked and which may be relevant within the RMP, such as: a) The DNR and ADF&G should both be consulted regarding management of all water bodies within the planning area for issues related to state authorities, including anadromous stream crossings, diversions, public use, placer mining, and dam construction; b) When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the common good of all residents; and c) The Department of Environmental Conservation (DEC) has numerous regulations used to monitor and mitigate impacts to resources within the state, including human waste disposal, air and water quality standards.
44.	"State Planning Efforts The planning area includes ADF&G Game Management Units (GMU) 18, 19A, 19B, 19C, 19D, 20C, 21A, 21D, 21E, 22A, and 22D. Information resources developed by ADF&G may prove useful in analyzing fish and wildlife habitat, distribution, and use within the planning area. Documents that may be of assistance include: a) Wildlife Action Plan: http://www.adfg.alaska.gov/index.cfm?adfg=species.wapabout b) Alaska's Wildlife and Habitat, ADF&G, Jan. 1973. c) Alaska Habitat Management Guide Series d) Anadromous Waters Catalog: http://www.sf.adfg.state.ak.us/SARR/FishDistrib/anadcat.cfm These documents and other information on fish and wildlife habitat, distribution, and use for each GMU within this planning area are available at the Anchorage ADF&G office. Please note that the ADF&G no longer maintains a "Species of Special Concern" list."
45.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an

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	effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
46.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
47.	"17(b) Easements As noted above for RS 2477s, we also ask that the BLM use the following language to describe 17(b) easements: "17(b) Easements As noted above for RS 2477s, we also ask that the BLM use the following language to describe 17(b) easements:

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	Section 17(b) of Alaska Native Claims Settlement Act (ANCSA) provided for the reservation of easements across Native Village and Regional Corporation lands to provide public access to publicly owned lands (including waters) for the purpose of recreation, hunting, transportation, utilities, docks, and other similar public uses. The BLM is responsible for identifying and reserving these easements during the conveyance process. The management of these easements lies with BLM or the appropriate federal land manager (i.e., USFWS, NPS). The BLM does not have a similar agreement for transferring easement management to the State of Alaska. Consequently, BLM retains management responsibilities for easements reserved to access State lands. BLM has not developed an easement management policy that provides a mechanism by which to address the concerns of landowners and easement users. Current problems include poorly or inaccurately placed easements, trails that allow for ORV use being aligned through wetlands, discontinuous easements, and lack of easement marking. In addition, there is currently no inventory on the status or condition of the easements. This is an important aspect of easement management that seriously needs to be addressed."
48.	Mineral Management Transportation of equipment to mine sites should be routed in uplands to the maximum extent practicable to avoid crossing waterbodies and/or require winter transport, particularly when crossing fish-bearing waterbodies. Stream substrate of crossing locations should be composed predominately of cobble. For all-season routes trails should be required to be developed and maintained to support given equipment, and other resource users should have access along these trails. Consultation with ADF&G's Division of Habitat and/or Title 16 Fish Habitat Permit is required for all work below the ordinary high water (OHW) mark, including stream crossings of fish-bearing water bodies and to determine if a permit is required.
49.	"Navigable Waters Determination of which waters are navigable or non-navigable is an on-going process in Alaska at both the administrative and judicial levels. Further state research on potentially navigable rivers is ongoing. We ask that the plan be especially clear that BLM management of submerged lands and shorelands is only applicable to those beds that have been determined to be federally-owned water bodies within the planning area. Ownership of lands below the ordinary high water mark of navigable water bodies (which were not reserved prior to statehood) transferred to the State at the time of statehood under the authority of the United States Constitution, the Alaska Statehood Act of 1959, the Submerged Lands Act of 1953, and under the Equal Footing Doctrine. Clarification of management authority can help the public understand where proposed management prescriptions may apply within the area. Public use of natural resources, including the waters of the State, is protected in Article 8 of the Alaska State Constitution and in current statutes and regulations. Current public uses occurring on rivers within the planning area are consistent with State statutes and regulations, and at this time effects associated with such use on these waterbodies appear to be negligible. There are numerous State asserted navigable waterways in the planning area, and until the matter of navigability on individual waterways is determined, we ask that no changes to management be made on them. We request that BLM work with the State concerning specific water bodies in order to resolve issues concerning ownership and use of rivers, lakes, and streams within BLM owned lands where perceived management conflicts may arise. Cooperative management agreements between the BLM, the State, and other landowners may be developed when needed for specific waterways within the planning area."
50.	"Air and Atmospheric Values, Soil and Water, Vegetation Any restriction on a given activity observed to unreasonably impact a resource should be justified and based on scientific data, and any system of remediation should be selected and directed based on the specific disturbance mechanism. We recommend BLM consider water table and permafrost monitoring be added to the BSWI Issues to be Considered, list of Management of Resources."
51.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this

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	planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
52.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
53.	"General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health."
54.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
55.	"Climate Change Water Resources and Wetlands A significant number of watershed headwaters and one federally recognized Wild and Scenic River are within the Bering Sea Western Interior planning area – these waters are important resources for fish spawning, drinking, subsistence and travel. In light of this, the BLM should incorporate funding and plan for additional research on the impacts of climate change on water resources. According to the Department of Natural Resources' (DNR) letter to the Alaska Climate Impact Assessment Commission, water and hydrology patterns may change in several ways including the following:

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	a) 'Precipitation patterns may change (including changes in timing). These changes may vary according to season and location. Some areas may receive greater precipitation annually, some may receive less. Some may receive more in a single season, and that same location may receive less in another season.' b) 'Precipitation amounts may change (change in quantity). As with pattern change, the amount of precipitation received at any one site may be greater or lesser dependent upon location.' c) 'Precipitation form may change. What had previously been snowfall may now be rain.' d) 'Changing precipitation patterns may change seasonal surface flow patterns. There may be more water available at times of year, or less.' e) 'Change in surface storage. Change in water form and quantity may alter available snowpack, and the release of water from that snowpack. A possible result is release of water from snowpack earlier, reducing stream flows during the summer periods. Also, a "flashier" response would be expected in most rainfall events; in essence a lowering of base flow.' f) 'Change in evapotranspiration patterns. Increased temperature would, in theory result in increased evaporation.' (Alaska Climate Impact Assessment Commission, Attachment A)"
56.	"Climate Change Local and International Fisheries Alaska's wild salmon fisheries are among the best managed fisheries in the world. Despite the hard work and efforts of many, the uncontrollable warming of waters is taking its toll on the international Yukon River Salmon fisheries. Climate change is altering the aquatic environment - one example of this is the potential link between warming waters and the disease Ichthyophonus hoferi, now being seen in growing numbers in Yukon salmon. The incidence of the disease may be positively correlated with water temperatures – the Yukon River has been warming for thirty years and has been experiencing break up earlier in the spring. The impact of the disease includes losses in subsistence, both local and international, commercial and sport fishing on the river. (Kocan et al, 2004) The changes in the aquatic environment are being studied, documented, and predicted for all areas of Alaska. The Department of Fish and Game submitted its finding to the Alaska Climate Impact Assessment Commission. Predicted impacts to fisheries resources are likely to include: a) 'Extended economic loses are possible as traditional target stocks change in relative abundance and location.' b) 'Increases in predatory fish (e.g. arrowtooth flounder, mackerels) may lead to lower guideline harvests for targeted fish (e.g. groundfish and salmon).' c) '[Ocean a]cidification could also impact zooplankton development, thereby affecting fish survival of species (e.g., sockeye salmon) dependent upon zooplankton.' -- 'The potential for decreased production of some recreationally targeted fish stocks and increases in other may necessitate geographic realignment of fisheries and adjustment of management plans.' d) 'Changes in stream flows and water quality may alter fish species distribution and composition. It could also alter the type and quantity of fish habitat that could impact ecosystem productivity. Instream flow needs for fish and wildlife and their uses will also need to be reevaluated.' e) 'Fisheries managers will need to increase efforts for prevention, monitoring, and control/eradication of invasive species that will be expanding their ranges or those newly arriving.' f) 'Fishery regulations will need to adapt to a longer open water season, allowing for potentially higher harvest rates on some recreational fish stocks.' g) 'New assessments of fish habitat (e.g. anadromous waters or fish community data) will need to be prioritized and implemented to meet [DNR] statutory and regulatory responsibilities.' h) 'Adjustments to outreach, education, and involvement programs will need to be made to inform and educate the public about changes in fish

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	and fisheries (both good and bad) due to climate change.' (Alaska Climate Impact Assessment Commission, Attachment A)""
57.	"Climate Change Local and International Fisheries Management of fisheries and aquatic habitat must be flexible and progressive in order to be effective. Stream reclamation and habitat improvement activities must also incorporate climate change. All habitat and population enhancement projects, particularly those anadromous streams that will have the greatest snow-rain transition, will have increased difficulty in attaining goals and recovery targets. Most recovery plans typically do not account for climate change and as a result inaccurately predicts the success of efforts. Habitat restoration and protection will further help mitigate climate change impacts to healthy fisheries – reduce or slow the result of the warming trends in Alaska's waters. (Ruckelshaus et al, 2007) The BLM must work closely not only with other federal agencies but also with state and local authorities. The League recommends that BLM consider creating a working group – or that BLM become more closely involved with an existing working group for current and future management, monitoring and studies. We suggest the following local Native and international authorities/commissions: 1) Yukon River Drainage Fisheries Association; 2) Yukon River Panel; 3) Yukon River Inter-Tribal Watershed Council; 4) Association of Village Council Presidents; 5) Maniilaq Association; 6) Individual Tribal Governments; 7) Norton Sound Watershed Council; 8) Kuskokwim Watershed Council; 9) Western Arctic Caribou Herd Working Group and 10) Alaska Native Science Commission."
58.	"Climate Change Boreal Forest Health and Habitat Protection The Boreal Forest ecosystem health benefits extend well beyond the arctic regions. As noted by the BLM in 2008 within the Bering Sea Western Interior Preparation Plan, the boreal forest (Tayga) is the biggest terrestrial ecosystem in the world. BLM goes on to say that like the Amazon, the boreal forest is critical to sustaining a healthy global environment. The boreal forest is often referred to as the "lungs of the planet," and has a daily rhythm of taking in carbon dioxide and expelling oxygen. In addition to generating oxygen, this process makes the boreal forest a store house for carbon dioxide. Its trees and peat lands comprise one of the world's largest carbon reservoirs as it takes in more carbon dioxide that it releases. In addition to global oxygen generation and carbon retention, the boreal forest ecosystem is a green belt of conifer and deciduous trees that acts as part of the largest source and filter of fresh water on the planet. The lack of access to fresh water is increasing becoming an issue of environmental concern throughout the world. Forty percent of the nations' fresh water resource, as opposed to clean water within the meaning of the Clean Water Act, is in Alaska. Juday et al. (1998) outlines the potential effects of climate change on boreal forests in Alaska. Of particular importance to the Bering Sea Western Interior Planning Area would be: 1) decreases in moisture sufficient for forest growth; 2) continued or expanded tree mortality from insect outbreaks; 3) fire intensity and frequency; 4) spruce reproduction; and 5) changes in habitat associated with permafrost thawing.

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	How will the BLM address these issues and impacts during the next management cycle and how is the BLM looking beyond the next 15 years to anticipate changes in key wildlife and habitat resources to help them adapt to rapidly changing conditions? We recommend the initiation or continued monitoring of daily and seasonal weather patterns, including but not limited to max/min/mean daily temperatures, growing degree days and frost-free season length as important parameters for understanding changes in forest ecology that need to be incorporated into management decisions."
59.	"Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'"
60.	"The Yukon River Current Management and Health of the River YRITWC provides a definition for healthy watersheds: A healthy watershed is not just about water, but many other things are needed to comprise a healthy watershed. If the animals are healthy, then people are healthy. People interact with the entire environment. Clean water is associated with a sense of wilderness. The beauty of the land is shown. The natural food chain is in its original abundance. The same message is presented whether the drawing is of one lake up to an entire watershed. Water is precious. Diversity, unity and the cycle of life are apparent. (YRITWC, 2002) In the summer of 2013 the Yukon River Inter-Tribal Watershed Council (YRITWC) approved a water management strategy for the Yukon River Watershed. We recommend the BLM work with the YRITWC to gain an understanding of this management strategy and work together to support the implementation of the YRITWC approved management plan. "
61.	"Wild and Scenic River Goals Goal 1: Conduct and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of damages to WSRs by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: In order to maintain the values for which the river was designated BLM must more strictly manage placer mining and water quality standards. Goal 4: Water quality standards for all proposed and currently designated WSR must be consistent with efforts to restore salmon populations on the Yukon River and its tributaries."
62.	"Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as

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	the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: a) Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; b) Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and c) Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
63.	"Coal (leasable) Coal is a significant mineral resource in this planning however much of it is not located on BLM managed lands. Only coal resources identified as having development potential as acceptable for further consideration for leasing will be considered for either surface or underground mining operations as stated by BLM. BLM is required to thoroughly evaluate the comprehensive impact of coal exploration and extraction to the planning area including infrastructure needed to support the operation, air quality impacts, water quality, impacts to wildlife life habitats and wildlife. This evaluation does not mean the exploration and development of coal should be considered. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind.15 Any coal exploration, development, prospecting and transportation should be considered in this EIS. The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a coal mining environment like few in the world. Impacts associated with support infrastructure to facilitate the operation persist, and are more difficult to mitigate. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible to reclaim due to slowed vegetation and geologic adaptations. Surface-mining impacts include surface-environment degradation from infrastructure and pit, as well as permafrost thaw, alteration of aquatic ecosystems, and degradation of air quality. Coal mining activities deserve special attention because they can introduce coal dust to the air and water, which is often very fine and contains heavy metals. Degraded air quality from these activities and also from truck and mining equipment emissions can have an adverse impact on human and animal health. The associated indirect impacts of digging up coal include numerous impacts from burning that same coal. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind. Any coal industrial activities will then contribute to global warming, which disproportionally impacts the Arctic. It is essential that these reasonably foreseeable impacts from destroying the landscape to dig up coal will also result in increased mercury transport to Alaska. Burning coal releases mercury into various levels of our ecosystem and atmosphere that can then bioaccumulate in fish, which then pass up the food chain to humans sometimes at toxic levels especially in women. If local communities cannot consume fish, it will be detrimental to their health and culture. The results from mercury contamination must be taken into account in this EIS. Recommendation: 1) BLM fully consider impacts to BLM lands from potential coal projects on neighboring lands

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	2) BLM prohibits coal exploration and production on BLM lands"
64.	"Roads, General Flooding is another major effect of roads on tundra that must be considered. Drainage patterns on flat tundra, such as that found in parts of the proposed project area, can be complex, with many unconnected drainage systems.19 Culverts are difficult to position, and even when positioned properly are often frozen during spring melt.20 The Corps must take into account the environmental impacts of such flooding, as well as other indirect effects from roads such as the introduction of nonnative species. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Crude oil transmission pipelines without roads may not result in increased air traffic as there are federal requirements for monitoring rights of way (biweekly monitoring with aerial monitoring used most commonly, see 49 CRF 195.412(a)). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring, although its effectiveness needs to be evaluated. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. 1) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including a) if technically feasible, the continuous capability to detect a daily discharge equal to not more than one percent of daily throughput; b) flow verification through an accounting method, at least once every 24 hours; and c) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. 2) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. However, BLM must also address any requirements for gathering lines within oil fields."
65.	"Proposed Pipeline It is estimated that the proposed Donlin Gold mine would require an average load of 157 megawatts. To provide the amount of power required to operate the mine at peak capacity, a 14 inch, 312 mile long buried pipeline to transport natural gas from the Cook Inlet region to the mine site is being considered. This would be an alternative to barging in diesel fuel from Bethel. If the pipeline is included in development, approximately two barges per day would take small amounts of diesel fuel and camp supplies from Bethel to a port site approximately eight miles downriver from Crooked Creek, and would then be transported on a 30 mile access road to the mine site. Many other options to provide power such as coal, hydroelectricity, a power line intertie, biofuel, and even nuclear energy, were considered during the feasibility analysis but did not meet the current needs of the project. This infrastructure and energy requirement for the Donlin Creek Gold mine must be considered in the short and long term impact analysis to BLM lands."
66.	"Mineral Management Goals Within the Bering Sea Western Interior area 125,444 acres of the lands open to Appropriation and Disposition under the Public Lands Act are also open to mineral leasing which include oil and gas, coal, geothermal and peat (Southwest Management Framework Plan 1981). Lands encumbered by withdrawals are not open to mineral entry. There are areas of high mineral potential in the eastern and central portions of the Planning Area in a

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	mineral belt extending from northeast to southwest. We encourage BLM to carefully consider future locatable and leasable mineral development. The listed goals below will provide BLM a framework to use for decision making. Goal 1: Institute and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of further damages important to aquatic habitat by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: Many of the rivers and creeks could be serving as a drinking water source for villages throughout the Yukon River and Kuskokwim River basins such as the Nulato River. BLM needs to inventory all streams and rivers used as drinking water sources and manage them for drinking water quality. Goal 4: Increase protections from development within proposed Wilderness Study Area recommendation designations. This includes considerations for improving operations standards as technology has improved for development, closures and limitations. Goal 5: Appropriate construction should be timed to avoid sensitive life stages for fish. Goal 6: Monitoring before and after development to be able to measure the impacts of development. Goal 7: Establish adequate perimeters for seismic activity to prevent damage to fish bearing streams."
67.	"Mineral Management Goals Recommendations: 1) Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. 2) BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. 3) BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. 4) The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. 5) BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. 6) The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. 7) The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands. 8) The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. 9) The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events,

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	particularly for facilities that will be managed in perpetuity. "
68.	"Mineral Management Goals Recommendations: 1) The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design, engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources. 2) Given that tailings ponds must often last in perpetuity, the BLM should adopt the most rigorous performance standards for design, construction and maintenance. The RMP should adopt a policy to require that tailings ponds built on BLM land meet the requirements of Class 1 facility, and be designed for the maximum credible earthquake, as recommended by the ICOLD guidelines."
69.	"Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area. "
70.	"Form Letter Master: The Alaska Wilderness League asked our membership and supporters to provide comments and concerns regarding planning in your areas. Specifically, we are asking that no new development is allowed and that mineral withdrawals remain in place. Please consider these comments as you develop the management alternatives for the Bering Sea Western Interior and Central Yukon Planning Areas. The Central Yukon and Bering Sea-Western Interior planning areas include vast populations of wildlife including caribou, moose, wolves, bears, migratory birds and fish. Both

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	Alaska Natives and surrounding communities depend upon the bounty of the lands and waters for their livelihoods as commercial fisherman, and for subsistence, cultural and traditional practices. Yet, development projects including mines, roads and associated infrastructure could pose significant negative impacts on surrounding communities, including water degradation and reduced access to subsistence resources. The Bureau of Land Management should make sure that wildlife and our cultural history are preserved through these planning processes and that each area's existing mineral withdrawals (which currently prohibit mining and oil and gas development within each area) remain in effect, ensuring balance in both of the management plans."
71.	For those of us who live in rural Alaska, clean water to support the fish and wildlife we depend on is by far the most valuable, and irreplaceable, resource.
72.	"THE LEGAL FRAMEWORK FOR PLANNING Federal Land Planning Management Act or FLPMA provides the general framework for BLM's land management decisions. FLPMA directs the bureau to manage lands for multiple uses, but one of Congress's goals in promulgating the statute was that public lands would be "managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . ." as well as to "preserve and protect certain public lands in their natural condition" and provide "food and habitat for fish and wildlife." 43 U.S.C. § 1701(a)(8). Section 202 of FLPMA, 43 U.S.C. § 1712, directs the BLM to develop resource management plans and requires that in developing plans, the agency will: • Use and observe the principles of multiple use and sustained yield and recognize that multiple use does not mean all uses in every place; • Use an interdisciplinary approach to integrate physical, biological, economic, and other sciences; • Give priority to designating and protecting areas of critical environmental concern; Rely, to every extent possible, on an inventory of public lands, their resources, and other values; • Consider present and potential uses of public lands; • Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values; • Weigh long-term benefits to the public against short-term benefits; • Provide for compliance with applicable tribal, Federal and State pollution control laws, standards, and implementation plans; and • Coordinate the land use inventory, planning and management activities of public lands with land use planning and management programs of other agencies. "
73.	"MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, ""including outdoor recreation and scenic values."" 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative

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	values of these resources but ""not necessarily to the combination of uses that will give the greatest economic return."" 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations."
74.	"Included in this document are three maps of the Georgetown area, an "Overall Site Context" map, a "Site Analysis" map, and a map documenting important subsistence and environmental areas. These include only some of the areas and specific locations that are important to the Native Village of Georgetown, mainly those in close proximity to Georgetown itself. The locations marked in red on the site context map mark areas of cultural significance to our members. The Site Analysis Map should give you a general idea of the layout of the land. The "Environmental and Subsistence Areas of Significance" map marks specific locations as related to the location of Georgetown Native Allotments. Georgetown Members have a fish camp on the river, and spend two or three weeks every summer harvesting salmon for their families. ADF&G and the Kuskokwim Native Association have a fish weir on the George River, which helps to monitor the escapement of salmon to their spawning grounds on the George River. Lastly, the GTC is in the process of collecting baseline water quality data for the protection of water quality in the Kuskokwim and George Rivers, These areas need to be preserved for our members, and for future generations. In a recently published report by the Alaska Department of Fish & Game, the subsistence use details of Georgetown members is well documented (Brown, 2013). Technical Paper No. 379, pages 81-113, summarizes the results of a study conducted on 21 households in 2010 that included members of Georgetown. Page 99 of this document includes a map identifying "harvest locations and search areas for all resources" of Georgetown members who contributed to the research done for the paper. The GTC asks that those documented subsistence needs and areas be recognized and considered, while the RMP is being updated."
75.	"A. Impacts to salmon stocks; In analyzing the impacts of the proposed management action, BLM must analyze the impacts to Chinook, summer and fall Chum, Coho, Sockeye and Pink salmon in the Yukon River and its tributaries. Analysis should include impacts from increased mineral development including but not limited to: leaching, direct exposure to chemicals at various stages of the salmon lifecycle, and impacts to habitat from mineral development itself and the associated roads. Direct and indirect impacts to salmon should be analyzed for each management alternative, including changes to (d)(1) withdrawal status. Yukon River salmon runs experienced run failures in 2000 and 2001. While chum salmon runs have been high in recent years, Chinook salmon have continued to struggle towards recovery. Because the Chinook salmon of the Yukon River spawn in both the United States and Canada, a bilateral treaty governs these runs. The Yukon River Salmon Agreement (YRSA), an annex to the Pacific Salmon Treaty sets out specific requirements and the Yukon River Panel, composed of United States and Canadian representatives, sets specific escapement goals for Canadian bound fish. Despite drastic

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	conservation measures, both in Alaska and Canada, escapement goals have not been met for five of the last seven years. Impacts to salmon stocks should be analyzed in light of the extremely fragile state of this salmon run, and its extreme importance to subsistence and commercial users (discussed below). The BSWI RMP should embrace a precautionary approach, limiting additional mineral and other development unless it can be shown that there will be absolutely no detrimental impacts to salmon populations. To ensure that impacts on salmon stocks are adequately analyzed, both the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G) should be consulted on this EIS because of their expertise in and shared management responsibility for Yukon River salmon populations."
76.	"B. Impacts to federally-protected subsistence users; The BSWI RMP and associated EIS must take into consideration impacts to federally-protected subsistence users. Chinook and chum salmon are a vital subsistence resource for rural residents throughout the Yukon River. Without subsistence salmon to feed people and the sled dogs which are an integral part of the subsistence lifestyle on the Yukon, existence in these remote villages would be difficult, if not impossible. Salmon are of irreplaceable value to the cultural, spiritual, and nutritional needs of the Native people of the Bearing Sea and Western Interior Alaska region. Subsistence salmon literally serve as the "grocery store" for village residents, and also serve vital cultural purposes. In communities where other subsistence resources such as moose and caribou have decreased, the value of salmon as the only subsistence resource is even greater. Under the Alaska National Interest Lands Conservation Act (ANILCA),1 federally-qualified subsistence uses have priority over other fish and wildlife needs in-river. Impacts to subsistence users should be analyzed on a Yukon River watershed-wide basis, as any impacts to the salmon in the Bearing Sea-Western Interior regions will be felt throughout the watershed given the anadromous nature of the fish. The result of management actions on the availability of and access to subsistence resources should be considered. Because the Chinook salmon runs are not strong enough to support subsistence needs, particular concern should be given to protecting these stocks in the BSWI RMP."
77.	"C. Impacts to commercial salmon fisheries; Commercial salmon harvests provide one of the only sources of income in many Yukon River villages. On the Yukon River, commercial salmon harvests have declined in recent years. In some years, no directed commercial fishery is allowed for Chinook salmon. The recent 10 year average includes several years when Chinook returns were declared disasters by state and federal agencies, and necessitating many millions of dollars of aid. As with subsistence fisheries, impacts to commercial salmon fisheries should be looked at on a river-wide basis, as any impacts to salmon in the Central Yukon region will be felt throughout the watershed. Impacts to commercial fisheries should be analyzed not on the basis of economic value alone, but on the role of these fisheries as sources of employment in the affected communities."
78.	"D. Yukon River Salmon Act (YRSA) treaty obligations; Under the terms of the YRSA, which was ratified in 2002, the United States is bound to pass a set number of Chinook and fall chum salmon across the Canadian border to provide for Canadian harvests and escapement needs. Chinook salmon escapement requirements have not been met for the last five of seven years. In addition to specific escapement requirements, the YRSA also mandates habitat protection: In light of the benefits they receive from the salmon originating in their portions of the Yukon River, the Parties agree that: a) salmon should be afforded unobstructed access to and from, and use of, existing migration, spawning and rearing habitats; b) respective water quality standards should be maintained and enforced; c) productive capacity of the salmon habitat on both sides of the Alaska-Yukon border should be maintained in order to achieve the objectives of this Chapter; and

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	d) should access be obstructed, water quality standards be degraded or productive capacity of the salmon habitat be diminished to a degree that affects the objectives established in this Chapter, the Yukon River Panel may recommend corrective actions which may include adjustments to fishing patterns, border escapement objectives and guideline harvest ranges.2 Management measures adopted in the BSWI RMP must be compliant with the United States' escapement and habitat obligations under the YRSA."
79.	"These scoping comments are submitted on behalf of Earthworks, a national conservation organization, with 500 Alaska members. Our mission is to protect communities and the environment against the adverse impacts of hardrock mining. The Bering Sea-Western Interior planning area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and all lands west of Denali National Park and Preserve to the Bering Sea, including Saint Lawrence, Saint Matthew and Nunivak islands. We urge the BLM to prioritize land management policies that support watershed health, subsistence use, and sustain fish and wildlife habitat in the planning process. Our scoping comments pertain to maintaining the majority of the current management for most of the lands in the Bering Sea Western Interior planning area. We also encourage the BLM to develop criteria and standards for mineral development to address the increased risks associated with the extreme weather conditions and climate change that are particularly significant in this northern region. More detailed comments are specified below."
80.	"Issue A(3) Mineral Development A substantial portion of the Planning Area is subject to the mandate of ANCSA 17(d)(1), 43 U.S.C. §1616(d)(1). If the d(1) mineral withdrawals are lifted, these BLM lands will be governed by the 1872 General Mining Act. This federal law, which was enacted 140 years ago to help "settle the west," continues to govern mining activities on federal lands today. The General Mining Law of 1872 (17 Stat. 91; 30 U.S.C. § 21 et seq.) grants a statutory right to enter upon public lands to prospect, explore, develop, mine, or process mineral resources. Furthermore, the law allows a claimant to stake an indefinite number of mining claims, and those claims can be held indefinitely. The 1872 General Mining Act prioritizes mining over all other land uses, including subsistence, wildlife habitat, recreation, and fisheries. Under current interpretation of the law, mining is considered the "highest and best use" of federal lands, and federal land managers must approve any reasonable plan of operations, regardless of conflicts with other uses. Hardrock mining can have significant adverse impacts on subsistence use, fish and wildlife habitat, water quality, and other important land uses. According to the Toxic Release Inventory, compiled by the U.S. Environmental Protection Agency, hardrock mining is the largest source of toxic pollution in the United States. The impacts of hardrock mining to fish, and the inadequacies of the 1872 Mining Law to protect aquatic resources, are documented in a 2010 scientific article in Fisheries. Impacts to water quality from modern hardrock mines are also documented in a 2006 study, which compared water quality predictions during the permitting process with water quality impacts after mining commenced. It found that: a) 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). b) 76 percent of mines studied in detail exceeded water quality standards due to mining activity. c) Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail."
81.	"Issue A(3) Mineral Development A 2013 study reviewed the track record of water quality impacts at operating U.S. copper mines, resulting from pipeline spills, failure to capture and control mine seepage, and tailing impoundment failures.4 These mines represented 89% of U.S. copper production in 2010 – the most recent data available by the U.S. Geological Survey at the time of the report. The report found that 100% of the mines (14 out of 14) experienced at least one pipeline spill or other accidental release. At 13 out of 14 mines (92%), water collection and treatment systems failed to control contaminated mine seepage, resulting in significant water quality impacts. At 4 out of 14 mines (28%), partial tailings

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	impoundment failures occurred, and at 9 out of 14 mines (64%) tailings spills occurred. Experience with existing mineral development in Alaska also demonstrates that major mine operations can directly affect fish and wildlife and subsistence resources. For example, changes in federal regulations that revised the definition of "fill," currently allow mine waste disposal in waters of the U.S.5 This regulatory change has severe and lasting consequences for aquatic life. At the Kensington Mine, mine waste disposal in Lower Slate Lake has eliminated the resident fish population."
82.	"Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orange colored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities."
83.	"Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: a) All portions of designated and/or eligible Wild and Scenic River corridors should be b) closed to leasing, exploration, and development c) All lands within proposed Research Natural Areas, Areas of Critical Environmental d) Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics e) (LWCs) and SRMAs. f) Lands within 400 feet of anadromous rivers and streams g) VRM Classes I and II throughout the entire planning area h) Primary fish spawning habitat i) Community drinking water aquifers"
84.	"Planning Question: How will development of long-term mining operations be managed? How will the BLM ensure that mine plans are adequately

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	designed, operated and reclaimed to withstand the extreme arctic conditions found in Alaska? The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a challenging mining environment in the RMP like few in the world. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible, to reclaim due to slowed vegetative and geologic adaptations. For example, problems at the Rock Creek Mine near Nome were compounded by the effects of operating in extreme arctic weather conditions, resulting in unsafe and environmentally hazardous conditions.10 A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. Harsh weather conditions were also a factor in the overtopping of the tailings impoundment at the Nixon Fork Mine in 2012. According to the mine operator, in October 2011, staff decided to forego gage observation at the tailings impoundment until spring melt because the gage was froze in ice. In March 2012, mine personnel noticed evidence of dam overtopping. On inspection of the tailings dam it was found that the engineered spillway for the dam had been frozen over by a previously undiscovered tailings water release. The ice prevented the spillway from operating as designed, such that the later spill overtopped the dam at another location not designed for overflow. Recommendation: The BLM should put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions."
85.	"How will BLM manage mine operations and access/haul roads to ensure that public lands are protected? For example, trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.11 Two National Park Service studies have shown that the heavy metal dust has contaminated land up to 25 km north of the road. Although the company that operates the mine has recently made operational changes to reduce releases of “fugitive dust,” the releases have not been entirely eliminated and there is no indication that the existing contamination will be remediated. Much of the area between the port and the mine is traditional subsistence hunting and berry-gathering land, and some of the area is embraced within the boundaries of the Cape Krusenstern National Monument. Recommendation: The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands."
86.	"Planning question: How will potential impacts to water quality associated with land and resource use and development be managed? A number of recent scientific studies demonstrate that modern mining operations, operated under the existing federal regulations, consistently fail to protect water quality. A 2006 study reviewed modern hardrock mines throughout the west to determine whether water quality predictions during permitting matched water quality impacts.12 It found that: a) 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). b) 76 percent of mines studied in detail exceeded water quality standards due to mining activity. c) Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail. A companion report provides recommendations, or best practices, for geochemical analysis and predictive modeling to improve water quality predictions.1 Similarly, a report commissioned by the U.S. fish and Wildlife Service, Anchorage office on Acid Mine Drainage (AMD) and Effects on Fish Health and Ecology, found significant impacts to fish resources from acid mine drainage.13 It concluded that, “Pre-mine characterization of the risk of AMD formation is often inaccurate leading to notable post-mine risk to fisheries. Fisheries have been impaired worldwide by releases of AMD from mining areas. The mining industry has spent large amounts of money to prevent, mitigate, control and otherwise stop the release of AMD using the best

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	available technologies, yet AMD remains as one of the greatest environmental liabilities associated with mining, especially in pristine environments with economically and ecologically valuable natural resources. Problematic to the long-term operation of large scale metal mines is the recognition that no hardrock surface mine exist today that can demonstrate that AMD can be stopped once it occurs on a large scale." Recommendation: The RMP should require best practice standards for acid mine drainage and metals leaching analysis and predictive modeling, which will be a required component of any NEPA analysis for mineral development on federal lands."
87.	"How will the BLM ensure that exploration activities, such as drilling, don't have an adverse impact on water quality, fisheries and subsistence resources? Although many agencies assume that exploration drilling will have no adverse impact on water quality, a recent study of water quality impacts from exploration drilling at the proposed Pebble Mine site found that drill fluids were not confined in the unlined sump containment system, and were documented flowing into a wetland at levels exceeding aquatic life standards.14 According to the report, water quality samples were collected from the drill waste collection sump, from a wetland pool, and from a groundwater spring 30 meters down gradient of the sump system. Analyte concentrations exceeded water quality standards, sometimes by orders of magnitude in samples from the sump and wetland pool for: aluminum, cadmium, copper, iron, lead, manganese, silver, zinc, diesel range organics, and residual range organics. For example the most stringent aquatic water quality standard for total copper (at 25 mg/L hardness) is 2.85 g/L; total copper in the unlined sump was 435 g/L and in the wetland pool was as high as 137g/L; levels lethal to aquatic life. According to the report, high metal concentrations documented in the sump and wetland pool samples are likely attributable to mineralized drill cutting and rock "flour" while elevated diesel and residual range organic concentrations likely originate from fuels and or/muds used in drilling. Onsite disposal of drill fluids in unlined sumps is permitted by the State of Alaska at exploration sites. Extensive exploration, with hundreds of drill sites, could result in broad impacts. Recommendation: The RMP should require that exploration activities be evaluated for their potential impacts to water quality."
88.	"What type of NEPA analysis will the BLM use to evaluate the environmental impacts of major hardrock mine operations within the RMP? In recent years, there are two major hardrock mines in Alaska, the Rock Creek and Nixon Fork mines, where an Environmental Assessment (EA) was conducted, rather than an Environmental Impact Statement (EIS). In both cases, impacts occurred that could have been avoided with more thorough environmental review, design, mitigation, and planning. At the Rock Creek Mine near Nome unanticipated mechanical problems occurred including an electrical failure with the milling circuit and ongoing concerns with the efficiency of the process and recovery circuit. These issues were compounded by the effects of extreme arctic weather conditions. A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. There was no spillway in the design configuration of the dam at any operating stage before closure. The water balance model showed that Stage II construction was required to prevent the dam from overtopping in the summer of 2009. Operations at the mine and mill were suspended. (NovaGold Provides Update on Financial Outlook and Rock Creek Project in Alaska, November 24, 2008, www.novagold.com) It is apparent the design and construction oversight for this mine was flawed.15 The mine operated for approximately two months before shutting down due to design flaws in their processing circuit. Two workers were killed during mine construction. Water almost overtopped the tailings dam, and the dam itself was not designed to impound water, only tailings solids. Dam construction and operation was raised by the public as an issue that needed further review, and should have been reviewed as a part of an EIS.
89.	"What type of NEPA analysis will the BLM use to evaluate the environmental impacts of major hardrock mine operations within the RMP? The Nixon Fork Mine, which began operations in July 2011 as a "no discharge facility," experienced an overflow of contaminated water from the tailings pond in March 2012 – less than a year later. The mine discontinued operations in 2013, stating that it needed a revised operational plan and additional

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	financing. The EA did not evaluate the potential impacts of tailings pond overtopping. The EA did not evaluate a range of alternatives, as required by an EIS, eliminating the possibility to "avoid adverse impacts to or attain the least adverse impact possible." Recommendation: The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an EA for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible."
90.	"How will the BLM ensure that mining activities are effectively designed, engineered and managed to protect downstream resources and ensure unnecessary and undue degradation, given the increased frequency and intensity of storm events associated with climate change? 16 Designing mine facilities for a 24-hour, 100-year storm event is no longer sufficient to protect downstream resources. A presentation at the 2012 Mine Design, Operations & Closure Conference by the Bureau of Land Management (BLM) identified significant risks during mine development, operation, and post-closure from extreme weather conditions stating that, "...the reality is the industry is making closure, reclamation and drainage treatment predictions based on a historic climate that no longer exists…"17 The presentation provides a case study of the Zortman Landusky mine, located partly on BLM lands in Montana. A severe storm event in 2011 at the mine, which was designed for a 24-hour, 100-year storm event, resulted in failure of waste rock dump and seepage collection system, and the release of 75 million gallons of untreated, acidic water down several streams.18 The risks are particularly significant during development, when storm-water features haven't yet been installed, and during post-closure for all mine facilities, particularly tailings impoundments that must be managed in perpetuity. Recommendation: The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity."
91.	"How will the BLM address the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands? Considering the effects of climate change, mine facilities, particularly tailings ponds and other waste containment structures that must be maintained in perpetuity, are at significant risk of long-term failure if located on permafrost that is vulnerable to temperature change.19 Early detection of permafrost disruption is critical in avoiding catastrophic failures. At the Red Dog Mine, the Final Supplemental Environmental Impact Statement identifies a range of potential significant impacts associated with permafrost melting.20 If permafrost melts, and the above mentioned changes occur to the local hydrology in the project area, mining activities would likely have much different and possibly greater impacts on groundwater. Some of the possible effects of permafrost degradation on mining activity impacts are as follows: a) Seepage from the tailings dam may increase substantially if permafrost does not exist as a confining layer; b) Groundwater may rise to a level where upwelling of groundwater into the tailings impoundment may occur; c) Groundwater flow into the pits might increase substantially because the interconnectedness of water-bearing fault blocks and fractures in the bedrock would be much greater without the presence of permafrost; and d) Pit dewatering activities would impact larger areas surrounding the pit and cause a more extensive drawdown cone, possibly influencing stream and spring flows in the project area."
92.	"How will the BLM address the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands? According to the FSEIS, estimating the exact impacts of a disappearing permafrost zone is extremely difficult. Continued monitoring of the climate and permafrost zone as well as groundwater levels will provide valuable data to resolve this uncertainty and better predict potential impacts.

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	Recommendation: The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design, engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources."
93.	"What requirements will the BLM impose on tailings ponds construction to ensure protection of downstream resources? From a performance standpoint the most significant difference in dam safety requirements between a Class I and Class II dam is the size of the earthquake the dam is required to withstand (see Alaska Department of Natural Resources, 2005, Section 6.3.2 Design Earthquake Levels, Table 6-2. Operating- and Safety-Level Seismic Hazard Risk, in Appendix B of this paper). Class II dams must withstand seismic events with return periods of 1,000 – 2,500 years, and Class I dams 2,500 years to the Maximum Credible Earthquake (Alaska Department of Natural Resources, 2005, Table 6-2). Note that it is not mandatory to use the Maximum Credible Earthquake as the Maximum Design Earthquake for a Class I dam. According to the current International Commission on Lard Dams (ICOLD) guidelines, large dams have to be able to withstand the effects of the so-called maximum credible earthquake (MCE). This is the strongest ground motion that could occur at a dam site. (Wieland, ICOLD, 2001) Recommendation: Given that tailings ponds must often last in perpetuity, the BLM should adopt the most rigorous performance standards for design, construction and maintenance. The RMP should adopt a policy to require that tailings ponds built on BLM land meet the requirements of Class 1 facility, and be designed for the maximum credible earthquake, as recommended by the ICOLD guidelines."

8.2.4 Issue 4: Climate/Climate Change

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1.	Is there a climate change adaption plan within the RMP? Climate Change Adaptation Plans should be a priority due to the changes we are seeing including erosion of villages. Would your Climate Change Adaption Plan account for the massive seasonal changes we are experiencing?
2.	We see evidence of climate change around with all the flooding and damming problems, though some of that is also related to all the beaver population and beaver dams.
3.	Increased climate/weather pressures impacting subsistence species and prices are always increasing for fuel, etc. – makes subsistence difficult
4.	Climate Change Effects Currently, there is concern that continued increases in greenhouse gas emissions resulting from human activities contribute to climate change. Effects of climate change may include changes in hydrology, sea level, weather patterns, precipitation rates, and chemical reaction rates. The RMP/Draft EIS document should therefore consider how resources affected by climate change could potentially influence the RMP/Draft EIS alternatives and mitigation opportunities, and vice versa, especially within sensitive areas. The RMP/Draft EIS should also quantify and disclose greenhouse gas emissions from potential activities under the plan and discuss mitigation measures to reduce emissions.
5.	Climate Change Climate change has become a priority issue by the Obama administration demonstrated by the U.S. Climate Action Report released on January 1, 2014. Climate Change is one of the greatest threats facing national landscape conservation lands and Alaska's rural communities today. The BLM should make this issue a priority, by incorporating it into all planning and management strategies. There is a clear scientific consensus on the impacts from climate, and many changes will definitely take place within the Bering Sea Western Interior planning area due to climate change. The following are points of discussion we believe the BLM should incorporate into the Bering Sea Western Interior Resource Management Plan. They are as follows: 1) Provide training on climate change and variability for all resource managers; 2) Consider climate change and variability as a component of long-range management plans and strategies, as well as prioritizing adaptive management; 3) Implement monitoring and assessment programs for impacts to wildlife and wildlife habitats expected to be most sensitive to climate change; 4) Educate the public about climate change and its effects on Alaska public lands and resources; 5) Establish and maintain migration corridors that allow species movement and vegetation shifts among islands of suitable habitat; 6) Increase buffer zones around identified critical habitat in order to increase options for species under various climate change scenarios; 7) Protect riparian and wetland communities to promote resilience of these important and susceptible habitats; 8) Make the reduction and elimination of human-induced synergistic impacts a top priority for land and resource management; and 9) Educate the public on the respiratory health consequences of increased fires and monitor and mitigate impacts to human health.
6.	Climate Change The BLM should fully integrate these discussion points in the goals and objectives listed for the Bering Sea Western Interior RMP, not as a separate section on climate change. We request that BLM disclose the assumptions that are made about climate change impacts during the planning process and the ways in which it will be factored into the RMP. Addressing impacts to key resources is critical, as is considering ecosystem and community implications. The BLM needs to coordinate research, management, and planning with adjacent lands to insure that the goals of habitat connectivity and resilience are achieved. The Bering Sea Western Interior Planning Area lands are an important component of a greater, fully intact

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	ecosystem as a conservation system, and planning needs to consider the role of these lands beyond their borders now and in the face of climate change.
7.	Climate Change We refer the BLM to consider and incorporate strategies from the Preliminary Review of Adaptation Options for Climate-Sensitive Ecosystems (CCSP, 2008) for discussion and methods that can and should be incorporated into the management plan in order to promote ecosystem resiliency. Further recommendations include: 1) Climate Change and Water Intergovernmental Panel on Climate Change (IPCC) Technical Paper VI (IPCC, 2008) 2) Indigenous and Traditional Peoples and Climate Change Issues Paper (Macchi, 2008)
8.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
9.	Climate Change Water Resources and Wetlands A significant number of watershed headwaters and one federally recognized Wild and Scenic River are within the Bering Sea Western Interior planning area – these waters are important resources for fish spawning, drinking, subsistence and travel. In light of this, the BLM should incorporate funding and plan for additional research on the impacts of climate change on water resources. According to the Department of Natural Resources' (DNR) letter to the Alaska Climate Impact Assessment Commission, water and hydrology patterns may change in several ways including the following: a) 'Precipitation patterns may change (including changes in timing). These changes may vary according to season and location. Some areas may receive greater precipitation annually, some may receive less. Some may receive more in a single season, and that same location may receive less in another season.' b) 'Precipitation amounts may change (change in quantity). As with pattern change, the amount of precipitation received at any one site may be greater or lesser dependent upon location.' c) 'Precipitation form may change. What had previously been snowfall may now be rain.' d) 'Changing precipitation patterns may change seasonal surface flow patterns. There may be more water available at times of year, or less.' e) 'Change in surface storage. Change in water form and quantity may alter available snowpack, and the release of water from that snowpack. A possible result is release of water from snowpack earlier, reducing stream flows during the summer periods. Also, a "flashier" response would be expected in most rainfall events; in essence a lowering of base flow.' f) 'Change in evapotranspiration patterns. Increased temperature would, in theory result in increased evaporation.' (Alaska Climate Impact Assessment Commission, Attachment A)
10.	Climate Change Water Resources and Wetlands With the growing knowledge and concern about the impacts of climate change impact, we recommend that the BLM continue (or resume if it has been suspended) on-site water level and inflow monitoring and that these data are analyzed to look for patterns that may suggest alteration in hydrologic regimes. These studies are important for understanding and estimating climate change impacts so that the best decisions for the resource can be made. Management implications of these landscape-level changes should be considered in the BLM management plan, particularly in the commitment of water resources and the short and long term health of aquatic systems. In addition, the Scoping documents do not include any reference to BLM's duty to protect instream flows for subsistence uses, ignoring the federal trust duty to preserve Alaska Native aboriginal lands and protect them from third-party intrusions. Under Alaska National Interest Lands Conservation Act (ANILCA), the government

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	reserved "water quality and necessary water quantity" for new wildlife refuges, parks, and forests, covering approximately 104 million acres.2 With some exceptions ANILCA Section 810 imposes procedural restrictions on future dispositions of public lands if such dispositions will affect subsistence. If so, the federal agency managing the lands must analyze the effect of the disposition on subsistence and consider alternatives to reduce or eliminate the need for the disposition. Section 17(d)(2) of ANILCA directed the Secretary of the Interior to classify up to 80 million acres of federal land in Alaska for inclusion in the National Park, Wildlife, Forest, and Wild and Scenic River Systems. Under ANILCA, however, the government did reserve "water quality and necessary water quantity" for new wildlife refuges, parks, and forests, covering approximately 104 million acres.3 ANILCA, mandates that a subsistence resources commission be appointed for each park or park monument in the state who, by mid-1982, were to "devise and recommend" a subsistence hunting program within each park or monument which after consultation and public hearing, the Interior Secretary was to "promptly implement."4 Six months after passage of ANILCA, the National Park Service promulgated regulations further defining who would be considered a "local rural resident",5 and establishing procedures for setting up "resident zones"6 in each of the parks or monuments.
11.	Climate Change Local and International Fisheries Alaska's wild salmon fisheries are among the best managed fisheries in the world. Despite the hard work and efforts of many, the uncontrollable warming of waters is taking its toll on the international Yukon River Salmon fisheries. Climate change is altering the aquatic environment - one example of this is the potential link between warming waters and the disease Ichthyophonus hoferi, now being seen in growing numbers in Yukon salmon. The incidence of the disease may be positively correlated with water temperatures – the Yukon River has been warming for thirty years and has been experiencing break up earlier in the spring. The impact of the disease includes losses in subsistence, both local and international, commercial and sport fishing on the river. (Kocan et al, 2004) The changes in the aquatic environment are being studied, documented, and predicted for all areas of Alaska. The Department of Fish and Game submitted its finding to the Alaska Climate Impact Assessment Commission. Predicted impacts to fisheries resources are likely to include: a) 'Extended economic loses are possible as traditional target stocks change in relative abundance and location.' b) 'Increases in predatory fish (e.g. arrowtooth flounder, mackerels) may lead to lower guideline harvests for targeted fish (e.g. groundfish and salmon).' c) '[Ocean a]cidification could also impact zooplankton development, thereby affecting fish survival of species (e.g., sockeye salmon) dependent upon zooplankton.' -- 'The potential for decreased production of some recreationally targeted fish stocks and increases in other may necessitate geographic realignment of fisheries and adjustment of management plans.' d) 'Changes in stream flows and water quality may alter fish species distribution and composition. It could also alter the type and quantity of fish habitat that could impact ecosystem productivity. Instream flow needs for fish and wildlife and their uses will also need to be reevaluated.' e) 'Fisheries managers will need to increase efforts for prevention, monitoring, and control/eradication of invasive species that will be expanding their ranges or those newly arriving.' f) 'Fishery regulations will need to adapt to a longer open water season, allowing for potentially higher harvest rates on some recreational fish stocks.' g) 'New assessments of fish habitat (e.g. anadromous waters or fish community data) will need to be prioritized and implemented to meet [DNR] statutory and regulatory responsibilities.' h) 'Adjustments to outreach, education, and involvement programs will need to be made to inform and educate the public about changes in fish and fisheries (both good and bad) due to climate change.' (Alaska Climate Impact Assessment Commission, Attachment A)

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12.	Climate Change Local and International Fisheries Management of fisheries and aquatic habitat must be flexible and progressive in order to be effective. Stream reclamation and habitat improvement activities must also incorporate climate change. All habitat and population enhancement projects, particularly those anadromous streams that will have the greatest snow-rain transition, will have increased difficulty in attaining goals and recovery targets. Most recovery plans typically do not account for climate change and as a result inaccurately predicts the success of efforts. Habitat restoration and protection will further help mitigate climate change impacts to healthy fisheries – reduce or slow the result of the warming trends in Alaska's waters. (Ruckelshaus et al, 2007) The BLM must work closely not only with other federal agencies but also with state and local authorities. The League recommends that BLM consider creating a working group – or that BLM become more closely involved with an existing working group for current and future management, monitoring and studies. We suggest the following local Native and international authorities/commissions: 1) Yukon River Drainage Fisheries Association; 2) Yukon River Panel; 3) Yukon River Inter-Tribal Watershed Council; 4) Association of Village Council Presidents; 5) Maniilaq Association; 6) Individual Tribal Governments; 7) Norton Sound Watershed Council; 8) Kuskokwim Watershed Council; 9) Western Arctic Caribou Herd Working Group and 10) Alaska Native Science Commission.
13.	Climate Change Mineral Development Climate change is altering the way the world works and forcing us to re-evaluate everyday life. Mining is no different. According to the DNR's report to the Alaska Climate Impact Assessment Commission, mining practices will pose operational and regulatory challenges in the state of Alaska. Among the issues listed is the cost associated with mineral development. (DNR, 2008) We acknowledge the history of mining in Alaska's Interior and it is well understood that the remote and seasonal nature of mining practices contributes greatly to the associated costs. Increasing energy costs will likely increase the costs of all mineral development in Alaska but we are wary of decreases in regulations as incentive. As areas become more costly to develop, environmental and operational exceptions may become more commonplace as an incentive or simply to offset costs. According to the 2007 Bay Proposed Resource Management Plan and Final Environmental Impact Statement, the BLM states that: 'An area in the beginning stages of development could be become un-profitable by imposing restrictive guidelines.' The BLM goes further to states that these restrictive guidelines could result in the 'reduction in lease values resulting from application and regulations and increased operating costs.' Bay PRMP/FEIS at 2-81. Reducing standards for any portion of mining operations and reclamation is a practice that we discourage. We advise that cost should not be a factor when reasonable standards have been set, particularly in a high metals market. Quotes regarding increases in mineral interest and development with increases in market prices can be found in the 1984 Steese National Conservation Area (NCA) management plan. These same statements can be seen throughout the various Resource Management Plans within the state. The increased market values for nearly all metals are sparking interest in development. Any increases need to be reviewed for impacts with climate change as a portion of the criteria for safe development and operating practices.
14.	Climate Change Mineral Development As a result of the ongoing and anticipated changes, mining regulations and operation standards need to reflect

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	our changing environment. An example listed by the DNR is the need to engineer and monitor tailings dams for changing permafrost conditions. The stability of formerly reliable resources is shifting and may result in catastrophic discharges of pollutants. The BLM must work to scrutinize mining proposals for operational changes to ensure best practices and prevent both health hazards and expensive reclamation that would be a burden to the public. Further recommendations from the DNR include accommodating changing patterns in precipitation either from increases in yearly precipitation or elevated seasonal flood risks. Placer mining in particular is anticipated to have amplified erosion due to thawing permafrost for which DNR prescribes monitoring – which should be considered the minimum action to be taken and should include operation alterations. Travel associated with mineral activities will require closer monitoring to protect permafrost and sensitive vegetation as well as prevent increases in erosion. 'Shortened winter travel seasons will adversely affect mineral and energy exploration and development programs, requiring the agencies to monitor the freeze-up and break-up periods ever more closely.' (DNR, 2008) Monitoring will require notification and posting for snow machine and OHV travel restrictions during these time periods.
15.	Climate Change Boreal Forest Health and Habitat Protection Cold-climate ecosystems and health of the Boreal Forest are often not fully understood. The following material taken from Ecotoxicology and Climate, edited by P. Bourdeau, J.A. Haines, W. Klein and C.R. Krishna Murti, published by John Wiley & Sons, Ltd., Effects in Arctic and Subarctic Systems, by Dr. R. Miller provides an excellent explanation of the complexities of the system: The features dominating cold-climate ecosystems are primarily those of low energy fixation and harsh environmental conditions. In terms of energy, the sun is low in the horizon at the best of times, and its radiant energy strikes the earth a 'glancing blow'. In addition, the high albedo of the snow causes a good deal of solar radiation to be immediately reflected. The growing season is short, uniformly small, and productivity is low, ranging from a few per cent to less than half of one per cent of the corresponding crop in a temperate climate. Adaptation mechanisms are abundant; on finds plants growing in rosettes and cushions, storing much more of their energy in roots than their temperate counterparts, developing waxy cuticles, and so forth. Nonetheless, since they have no way to escape or hide from conditions, as hibernating animals can, the plants are generally under extreme stress and the ecosystem has practically no 'resilience' in the ecological sense. The decreased primary production is the fundamental limitation of the cold environment ecosystem. Such animals and birds as choose to live there generally have adaptation mechanisms that are quite effective, as long as the food supply is adequate. Some, like the bear and caribou, develop heavy lipid layers and extremely effective fur to prevent energy loss. Some simply migrate to warmer regions; some small animals live under the snow cover, which is itself rather effective insulation; and some hibernate, thus decreasing their energy requirements sharply.
16.	Climate Change Boreal Forest Health and Habitat Protection There are other effects of the arctic and subarctic environment which are not nearly so well understood. For example, for a large part of the year arctic plants and animals receive sunlight that is not only in short supply but also has a different wavelength distribution, losing energy in the blue regions because of the effectively greater thickness of the atmosphere when traversed at a slant. The magnetosphere surrounding the earth is to some extent 'open' at the poles, so that these regions receive a greater radiation burden. Also, northern regions will typically experience intense geomagnetic activity, which may have effects as yet unknown. Studies in man have shown deleterious effects of the lack of solar regularity; numerous internal biological clocks are desynchronized, with observable behavior changes resulting; there is no reason why other inhabitants of the high-latitude environment should be spared. In summary, we observe that cold-climate ecosystems are characterized by their low productivity, at the level of primary energy incorporation, and that they are among the most stressed ecosystems on earth. This means that any further stress, such as chemical pollution or physical disturbance, may be assumed at the outset to have profound influences on the ability of such systems to survive at all, let alone to recover; in any case, recovery will be slow.

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17.	Climate Change Boreal Forest Health and Habitat Protection The Boreal Forest ecosystem health benefits extend well beyond the arctic regions. As noted by the BLM in 2008 within the Bering Sea Western Interior Preparation Plan, the boreal forest (Tayga) is the biggest terrestrial ecosystem in the world. BLM goes on to say that like the Amazon, the boreal forest is critical to sustaining a healthy global environment. The boreal forest is often referred to as the "lungs of the planet," and has a daily rhythm of taking in carbon dioxide and expelling oxygen. In addition to generating oxygen, this process makes the boreal forest a store house for carbon dioxide. Its trees and peat lands comprise one of the world's largest carbon reservoirs as it takes in more carbon dioxide that it releases. In addition to global oxygen generation and carbon retention, the boreal forest ecosystem is a green belt of conifer and deciduous trees that acts as part of the largest source and filter of fresh water on the planet. The lack of access to fresh water is increasing becoming an issue of environmental concern throughout the world. Forty percent of the nations' fresh water resource, as opposed to clean water within the meaning of the Clean Water Act, is in Alaska. Juday et al. (1998) outlines the potential effects of climate change on boreal forests in Alaska. Of particular importance to the Bering Sea Western Interior Planning Area would be: 1) decreases in moisture sufficient for forest growth; 2) continued or expanded tree mortality from insect outbreaks; 3) fire intensity and frequency; 4) spruce reproduction; and 5) changes in habitat associated with permafrost thawing. How will the BLM address these issues and impacts during the next management cycle and how is the BLM looking beyond the next 15 years to anticipate changes in key wildlife and habitat resources to help them adapt to rapidly changing conditions? We recommend the initiation or continued monitoring of daily and seasonal weather patterns, including but not limited to max/min/mean daily temperatures, growing degree days and frost-free season length as important parameters for understanding changes in forest ecology that need to be incorporated into management decisions.
18.	Climate Change Boreal Forest Health and Habitat Protection Climate change models tell us that boreal forests are in grave danger. It is important to identify significant ecological habitat within the planning area for protection, particularly within river corridors, for fire-suppression management. BLM must carefully manage timber harvesting in the planning area – only allowing subsistence harvests and targeted biomass harvest projects. Further, there is significant caribou habitat within the planning area. Thus, a comprehensive understanding of the cumulative impacts of fire, climate change, landcover and habitat are needed. Such an analysis needs to be based on the best available quantitative data, and should attempt to identify critical thresholds for habitat and caribou populations. We refer the BLM to the Western Arctic Caribou Herd Working Group research and recommendations and Rupp et al. 2002 and 2006 as examples of the types of analysis that can inform the BLM's planning efforts. We encourage BLM to partner with some of the researchers working on such issues in Alaska. For example, Dr. Rupp directs the Scenarios Network for Alaska Planning (SNAP) program at UAF, which can help specify hypothesis regarding fire, climate and vegetation that can be tested in the land management plan. Historically, resource and wildlife managers have been able to plan around known species distributions, derived from long term observations and monitoring. However, it is not clear if these same places will support the same populations as the climate changes. Various studies have shown evidence that climate change could alter the distribution or quality of caribou habitat10 and lead to reduction in lichens used as a winter food source.11 There is also the uncertainty associated with how temperature, precipitation and other climatic variables (e.g., cloudiness, evaporation, wind speed, etc.) will change, and if past or present rates of change are truly precedent for the future.
19.	Climate Change Boreal Forest Health and Habitat Protection Wildlife diversity is critical for healthy systems. Boreal song birds, caribou, moose, bear

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	and other animal populations of the interior know no boundaries of state, federal or private lands. In order to enhance/maintain populations and habitat goals both on BLM and adjacent lands, efforts must be coordinated to prevent undermining ongoing efforts. For example, migration corridors for the Teshekpuk and Western Arctic Caribou herds require close partnerships with stake-holders. According to Alaska Department of Fish and Game's letter to the Alaska Climate Impact Assessment Commission: a) 'Changes in species distribution and behavior may necessitate adjustments of management plans and harvest regulations.' b) 'The effect of climate change on wildfires is of great interest and concern, since over much of Alaska fire is the predominant habitat change agent and since our main big game species are fire adapted in different was. Similarly, we may see a trend where the boreal forest will transition toward grasslands, which would favor a different species mix.' c) 'It will be important to monitor species expanding their ranges into Alaska that could impact hunted species and other wildlife with conservation concerns.' With climate change BLM must also aid in monitoring the health of the system, by aiding in the identification and prevention of invasive species. Climate change will allow a greater number of species to expand their range and potentially out-compete valuable traditional resources and disrupt the balance of Yukon River basin ecosystems. We recommend that the BLM review the Alaska Department of Fish and Game's Comprehensive Wildlife Conservation Strategy, 'Our Wealth Maintained: A Strategy for Conserving Alaska's Diverse Wildlife and Fish Resources' (Attachment B). This document is a resource for prioritizing habitat and wildlife species, and has information which will help better collaborate with ongoing state-based efforts.
20.	Climate Change Permafrost Stability and OHV Management The melting of permafrost is known to cause significant changes in the landscape, from thermokarsts across the landscape slumping into rivers to the expansion and loss of water bodies. Clearly, significant changes in the distribution would alter the landscape of the Bering Sea Western Interior Planning Area, and if these changes continue at current rates or with greater frequency in the presence of large, intense fires, the results could be detrimental to many landscape and wildlife resources. Understanding how much of the Bering Sea Western Interior Planning Area landscape is underlain by permafrost is critical, and we encourage the management plan to include plans for better understanding permafrost and soils and to seek funding for such surveys, and ultimately, to incorporate this information into land management planning. Flexible management is needed to ensure that OHV use does not irreparably damage Alaska's changing landscapes. Education and monitoring is needed as well as clear trail designation and identification to ensure that unchecked trail widening and expansion does not continue within the planning area.
21.	Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports

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	greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.
22.	Climate Change Subsistence Activities The State of Alaska's Department of Commerce stated in its letter to the Alaska Impact Assessment Commission that: 'Continued thawing of permafrost, and the retreat and thinning of sea ice is likely to cause widespread alterations to the lifecycles, habitats and health of ecosystems of subsistence resources. As habitats chance, these populations are likely to undergo dramatic shifts in range and abundance, which in turn will affect communities that are dependent upon subsistence resources.' 'Anticipated rural community impacts include: 1) Impaired dietary and economic well-being of subsistence based way of life. 2) Loss of traditional meat ice cellars in several northern villages to thaw, making them useless. 3) Reduced quality of life.
23.	Climate Change Subsistence Activities The Alaska Department of Fish and Game reported to the commission that: 'The degree of potential effect to rural economies, especially if salmon are adversely impacted, could mirror the economic disasters declared in the previous decade.' 'Environmental monitoring will be needed to document the degree of changes in conditions that may affect populations of wildlife and stocks of fish upon which subsistence uses have customarily relied. Some examples follow: 1) Changes in freshwater and near shore hydrological conditions may increasingly impact species, populations, and life cycles of fisheries and wildlife resources customarily harvested. 2) Various hydrological changes can significantly affect subsistence users' access to harvest of either fish or wildlife. 3) Changes to terrestrial conditions also can be expected to influence the availability of wildlife and fish species to harvest, as well as access to harvest. 4) Range and extensions of more temperate plants and animals also may impact subsistence resources and resulting harvests.' The Department of Fish and Game calls for monitoring of subsistence harvests at the community level to assess necessary adaptations to the changing conditions in resources. The Department of Natural Resources states in their letter to the commission that traditional means of travel may be impacted because of the potential for less ice on lake and rivers and shorter seasons of frozen ground. Increases in fuel costs and changes in habitat and species diversity will change what subsistence foods are available. All of these findings from state based agencies should suit as ample warning of the potential impacts to the traditional way of life, not inclusive of direct impacts from development and other site specific management prescriptions that could promote damage to subsistence resources. We hope that the BLM will work closely with local and state experts to prevent and minimize impacts to habitat and wildlife – and prioritize the existing uses of the region over new incompatible uses.
24.	Climate Change is Certain Other BLM and federal land management plans in Alaska have failed to address climate change in a quantitative and comprehensive manner – using the unfounded argument that there is too much uncertainty about climate change. We remind the BLM that the IPCC has concluded that "Warming of the climate is unequivocal" and "Most of the observed increase in globally averaged temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations" (IPCC, 2007). The recent CCSP report also reiterates this point specifically for federal land management agencies: "While there will always be uncertainties associated with the future path of climate change, the response of ecosystems to climate impacts, and the effects of management, it is both possible and essential for adaptation to proceed using

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	the best available science" (CCSP, 2008). Uncertainty is prevalent in all actions and impacts that the BLM considers when planning, and cannot be used as an excuse for failing to develop a range of possible impacts and assessing what the biological and value-based thresholds are for the affected resources, ecosystem and human communities. The CEQ states that "Cumulative effects analysis necessarily involves assumptions and uncertainties, but useful information can be put on the decision making table now. Decisions must be supported by the best analysis based on the best data we have or are able to collect. Important research and monitoring programs can be identified that will improve analyses in the future, but their absence should not be used as a reason for not analyzing cumulative effects to the extent possible now" (p. 3, CEQ 1997).
25.	Climate Change is Certain This language is tied with the CEQ's principle of using the best analysis and the best data available in a quantitative analysis. While there is uncertainty in climate predictions, scientific analysis has revealed clear trends towards warming in Interior Alaska. Further, there is an extensive body of literature regarding the quantitative analysis of uncertainty and variability in environmental policy and decision making (e.g. Frey 1992 and onward; Morgan & Henrion 1990). Thus, within the scientific literature there are examples of a variety of statistical methods that can be used to address uncertainty that the BLM can use in its analysis of climate change and within the context of cumulative effects should BLM's scientists feel that the uncertainty in the scientific literature surrounding climate change is too great (Webster 2002; Roe & Baker 2007). Global and Regional Dynamic Ecosystem Models have been used to predict how ecosystems, including the Alaska Interior, will respond to changes in temperature and precipitation across ranges of values (e.g. Cramer et al. 2001) as well as in combination with land use data (e.g. Starfield & Chapin 1996). This type of analysis is not speculative, but is the best available scientific method for addressing climate change at present. The data necessary to drive these models is publicly available, including land cover data, coarse and downscaled temperature and precipitation data for Alaska. This input is critical towards modeling cumulative effects, as described elsewhere in our comments, when combined with land use data which includes development scenarios for each alternative. We urge BLM to incorporate the best available science, using the best available methods, in addressing climate change impacts on the ecosystems and inhabitants of the Bering Sea Western Interior Planning Area, as required by law. If there is not sufficient expertise within BLM to achieve this, we encourage BLM to seek outside assistance in order to prepare a reasonable, comprehensive assessment of climate change that will serve the purpose of conservation and sustainable management of the resources entrusted to BLM in this area.
26.	Areas of Critical Environmental Concern Stream monitoring programs if not already taking place, need to be initiated within the planning area. Areas that impacted by historic and current mining activity should be priority areas. 1) Expansion of ACECs a) When evaluating ACEC designations BLM must consider climate change and the integrity of habitat areas. The peregrine falcon was provided habitat protection due to its threatened species listing. These protections have made a difference for this species but should not be removed to allow for mining, oil and gas surface disturbing activities. Due to climate change impacting landscapes and habitat areas, further protection for terrestrial and aquatic species is necessary. Wildlife need connected habitat areas to thrive. An expansion of the ACECs with the purpose to provide a higher degree of protection to caribou calving grounds, migration corridors and wintering grounds should be considered for inclusion in under the ACEC designation. 2) New Nominations for ACEC a) Current ACEC designation is limited and deserves a hard look at other special areas deserving of special protection measures. BLM must take a hard look at essential habitat areas, subsistence use areas and special geologic features in the planning area.
27.	Recreation Management Goals OHV Goals

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	Goal 1: Inventory existing and designated trails and their condition to identify the level of degradation and prioritize stabilization activities. Once priorities are established improvement prescriptions and implementation must be put in place. Monitoring and maintenance should be a large part of the plan. Goal 2: Properly document and identify designated trails and prevent the usage and proliferation of undesignated trails. Signs should be created and posted to designate trails and to educate the public on the importance of staying on trails, reporting degraded sites and holding others responsible for the lands we all share. Goal 3: Education on the impacts to soils and vegetation should be available to the public. Goal 4: Due to climate changes there are longer freeze and break-up periods where limitations may be necessary for both snowmachine and OHV uses to ensure that unnecessary damages are not incurred on public lands. This may include more strict weight limits, closures or visitor limitations to reduce traffic in the park.
28.	<u>Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts</u> The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
29.	<u>CLIMATE CHANGE</u> BLM has a legal duty to address the impacts of climate change both from land management actions and to the resource area in the plan revision. On September 14, 2009, then Interior Secretary Salazar issued Secretarial Order (S.O.) No. 3289. This order mandates all agencies within the Department of Interior: “analyze potential climate change impacts when undertaking long-range planning exercises, setting priorities for scientific research and investigations, developing multi-year management plans, and making major decisions regarding potential use of resources under the Department’s purview.” S.O. 3289, incorporating S.O. 3226 (emphasis added). This RMP revision falls under this guidance. BLM must assess impacts from the RMP

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	that may directly, indirectly, or cumulatively result in exacerbating climate change. Communities within the Bering Sea Western Interior planning are experiencing effects of climate change and will likely continue to during the 20 year period that the management plan is active. Impacts to this particular ecosystem from climate change currently include shrinking water resources, thawing of permafrost, absence of protective near-shore ice, flooding events, invasion of non-native plant and animal species, soil erosion, loss of wildlife habitat, and wildfires.61 It is important that provisions of the Resource Management Plan not contribute to or exacerbate the impacts of climate change. In addition to a scientifically credible analysis of impacts, it is important that BLM fully consider the impacts of climate change both in terms of mitigating management decisions' contributions to climate change and adapting during the life of the plan to inevitable changes on the landscape due to climate change. Recommendation: In addition to the required analysis of impacts, it is important that BLM fully consider mitigation of resource management plan contributions to climate change and adaptation in the plan to inevitable changes on the landscape due to climate change.
30.	The RMP should consider how climate change is affecting the health and habitat of caribou and include research goals and adaptive management actions that will help ensure future sustainability of the herd in the face of climate change. a) The RMP should support research efforts that foster a greater understanding of caribou habitat and habitat change, including research in adjacent to the herd range that may reflect current or future WACH range conditions. b) The cumulative effects of climate change and the resource development projects proposed for all lands within the boundary of the planning area need to be carefully and quantitatively analyzed for their impacts to caribou and subsistence use of caribou.
31.	The EIS should address the cumulative impacts to Yukon River salmon stocks The larger issue of climate change should be addressed throughout the RMP/EIS and in the cumulative impacts analysis. While we are not certain what the precise impacts of climate change is and will be on Yukon River salmon, it is clear that warming waters and changing ecosystems is, and will have a profound impact on Yukon River salmon. These impacts, as well as uncertainty, should be considered and support a precautionary approach to management actions.
32.	Planning Question: How will development of long-term mining operations be managed? How will the BLM ensure that mine plans are adequately designed, operated and reclaimed to withstand the extreme arctic conditions found in Alaska? The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a challenging mining environment in the RMP like few in the world. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible, to reclaim due to slowed vegetative and geologic adaptations. For example, problems at the Rock Creek Mine near Nome were compounded by the effects of operating in extreme arctic weather conditions, resulting in unsafe and environmentally hazardous conditions.10 A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. Harsh weather conditions were also a factor in the overtopping of the tailings impoundment at the Nixon Fork Mine in 2012. According to the mine operator, in October 2011, staff decided to forego gage observation at the tailings impoundment until spring melt because the gage was froze in ice. In March 2012, mine personnel noticed evidence of dam overtopping. On inspection of the tailings dam it was found that the engineered spillway for the dam had been frozen over by a previously undiscovered tailings water release. The ice prevented the spillway from operating as designed, such that the later spill overtopped the dam at another location not designed for overflow. Recommendation: The BLM should put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions.
33.	How will the BLM ensure that mining activities are effectively designed, engineered and managed to protect downstream resources and ensure unnecessary and undue degradation, given the increased frequency and intensity of storm events associated with climate change? 16 Designing mine

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	facilities for a 24-hour, 100-year storm event is no longer sufficient to protect downstream resources. A presentation at the 2012 Mine Design, Operations & Closure Conference by the Bureau of Land Management (BLM) identified significant risks during mine development, operation, and post-closure from extreme weather conditions stating that, "...the reality is the industry is making closure, reclamation and drainage treatment predictions based on a historic climate that no longer exists…"17 The presentation provides a case study of the Zortman Landusky mine, located partly on BLM lands in Montana. A severe storm event in 2011 at the mine, which was designed for a 24-hour, 100-year storm event, resulted in failure of waste rock dump and seepage collection system, and the release of 75 million gallons of untreated, acidic water down several streams.18 The risks are particularly significant during development, when storm-water features haven't yet been installed, and during post-closure for all mine facilities, particularly tailings impoundments that must be managed in perpetuity. Recommendation: The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
34.	<u>How will the BLM address the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands?</u> Considering the effects of climate change, mine facilities, particularly tailings ponds and other waste containment structures that must be maintained in perpetuity, are at significant risk of long-term failure if located on permafrost that is vulnerable to temperature change.19 Early detection of permafrost disruption is critical in avoiding catastrophic failures. At the Red Dog Mine, the Final Supplemental Environmental Impact Statement identifies a range of potential significant impacts associated with permafrost melting.20 If permafrost melts, and the above mentioned changes occur to the local hydrology in the project area, mining activities would likely have much different and possibly greater impacts on groundwater. Some of the possible effects of permafrost degradation on mining activity impacts are as follows: a) Seepage from the tailings dam may increase substantially if permafrost does not exist as a confining layer; b) Groundwater may rise to a level where upwelling of groundwater into the tailings impoundment may occur; c) Groundwater flow into the pits might increase substantially because the interconnectedness of water-bearing fault blocks and fractures in the bedrock would be much greater without the presence of permafrost; and d) Pit dewatering activities would impact larger areas surrounding the pit and cause a more extensive drawdown cone, possibly influencing stream and spring flows in the project area.
35.	<u>How will the BLM address the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands?</u> According to the FSEIS, estimating the exact impacts of a disappearing permafrost zone is extremely difficult. Continued monitoring of the climate and permafrost zone as well as groundwater levels will provide valuable data to resolve this uncertainty and better predict potential impacts. Recommendation: The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design, engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources.

8.2.5 Issue 5: Fish and Aquatic Species

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1.	Closing the wild & scenic water to lodge fishing and stop the catch & release. I personally seen the infection it causes to the fish-I've observed bright silver king salmon lying on the bottom of the UNK river.
2.	The Bering Sea Western Interior [BSWI] Resource Management (RMP) is important to myself and all the indigenous peoples and residents who live in the region and utilize all of the natural renewable resources that live and thrive in this region. These resources include sea mammals, land mammals and all animals, plus vegetation and marine, riverine and lake dwelling fishes and water dependent life. My ancestors, who trace their roots to the time the Creator of all Universe placed our first people here to live, thrive and utilize all that he placed here for his people--this is the wisdom and cultural values we base our life here. We are to care for and utilize all that the land, sea and air provides for us and to wisely harvest so that all resources are sustainable. This is the heart of our subsistence use of this specific region that is under the care of BLM. In 1951 the Native Village Council responded to the Presidential Executive Order to file a claim for lands used by the native peoples under the Indian Claims Commission. The NVU timely filed a traditional use and occupancy for 9 million acres of land encompassing the native villages of Koyuk, Shaktoolik, Unalakleet, St. Michael and Stebbins, Alaska which includes land, air space and (45) forty-five miles out to sea. This 9 million acres is necessary to allow the five (5) tribes to harvest for needs to feed, clothe and sustain a culturally relevant life we share. Now in 2013 the need for a large area to sustain life in these villages is still relevant. Further with climate change these areas may need to be expanded. Also without clean air, clean water, eroding land, melting permafrost adds more challenge to the people and the resources. The 9 million acres above states goes from Koyuk, Alaska in the north to near Kaltag to the east and Pastolik to the south and Norton Sound to the west.
3.	We have a crisis of Yukon River Salmon. Chinook salmon had their worst year ever in 2012. This should be a major focus of each plan: the Central Yukon, Eastern Interior, and I'm going to call it the Bering Sea Plan. I can't speak for the villages, but I can speak for the watershed and this is our state's most remarkable fishery and it is in trouble.
4.	Trail between Holy Cross and Aniak – to Paimute Slough (on Fish and Wildlife Service land) travel on BLM land to get to Paimute Slough to hunt north towards Holy Cross (ptarmigan, moose, bear) and to go fishing (Pike). Trail from Aniak to Holy Cross used by both snowmachines and ATVs almost year-round.
5.	Pike Lake - important for lake fishing (pike), some float plane access, berry picking, spring and fall waterfowl, moose hunting, ptarmigan hunting
6.	Pike fishing is important at Pike Lake -
7.	Beaver populations have spiked, get into subsistence nets
8.	Interest in watershed impacts to salmon spawning areas (e.g., potential consideration for ACEC)
9.	There is nothing ACEC-like that protects salmon spawning, where do the salmon spawn? Are there areas on BLM lands that might be good for an ACEC?
10.	Smelt – Lower Kusko residents rely heavily upon the smelt that spawn all the way upriver toward and maybe past Kalskag, but never really too far beyond Kalskag. Nobody knows where the smelt go to spawn (Pike Lake) or, if they are river spawners?
11.	Logging has benefits, but has potential to affect spawning grounds, for example, the runoff from cleared areas
12.	Smelt spawning grounds unknown, they come up to Crow Village, not far beyond

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13.	Napaimute fishes up on Native-selected on the Hologuk (Ski Creek area)
14.	Keep development from occurring near rivers/creeks
15.	We frequently use the George River for subsistence moose, caribou, salmon, and trap beaver. There used to be 8,000 people that lived up the George River at one time.
16.	There is a connection between Grayling and the "Holichuck" area up the Innoko River (Fish & Wildlife Service lands). Many from Grayling travel up the Innoko for fishing and hunting (on FWS lands).
17.	There used to be a commercial fishery for Chum Salmon roe, the last one was around 1996. No market anymore for chum salmon roe because SE Alaska has the market now. That used to give us some income/employment, but it gave a lot of jobs mostly to the people of Anvik.
18.	We don't really use the Chum that much, but they are very important to maintain if our other Salmon are depleted and we need it as a future resource.
19.	It would be better for our subsistence if there were a longer opening for fishing and a bigger net mesh size allowed.
20.	There has been a decline in the duck population. What effect does the pike or beaver have this decline? Could BLM propose a study to help understand the lower duck numbers?
21.	There used to be a commercial fishery for Chum Salmon roe, the last one was around 1996. No market anymore for chum salmon roe because SE Alaska has the market now. That used to give us some income/employment, but it gave a lot of jobs mostly to the people of Anvik.
22.	Ice fishing and Pike fishing lakes important to us: 1) Reindeer Lake (across the Yukon River; mostly Native Corp. land) on the trail to Shageluk. 2) Layman Lake on the trail to Shageluk. 3) Alberts Lake located near Layman's Lake. 4) Pike Lake (on BLM land, due north of Aniak, east/southeast of HC) 5) Stanchen Lake unsure of location
23.	BLM land to the north of the community is rarely utilized at present, with the exception of Pike Lake, but its future availability is important for future subsistence use as local competition increases, especially if the AVCP proposed Yukon-Kuskokwim road is constructed.
24.	Lakes located northeast of the village on BLM land referred to as "Pike Lake" are important late winter/early spring fishery to some in the community. Usually travel there in snowmachines
25.	Concern was expressed over locally harvested fish that, when dissected, had odd greenish and glowing colors. Community members expressed concern over possible contaminants related to the Fukushima Nuclear plan in Japan.
26.	Beaver population has increased and it has decreased the spawning habitat
27.	Proposed Road - concerns raised over the Association of Village Council Presidents (AVCP)-proposed road from Kalskag to the Yukon River Paimut Slough. Community members were told that only business traffic would use the road and it would be closed to other travel, though they are concerned that it will not be patrolled and that has the potential to increase local fishing and hunting pressure. The community members desire access to the road, if built, for subsistence purposes.
28.	Not supportive of mining on BLM lands close to RM as the toxicity can disorient the fish and the runoff from mining lands would reach the Yukon River.
29.	We use Mountain Creek for Pike fishing.

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30.	We fish Pike Lake.
31.	Concern was expressed about beaver dams preventing fish from spawning
32.	We go there for: Pike fishing; duck and geese hunting; moose hunting; youth cultural camps in September; and for trapping.
33.	Can BLM do stream channel studies and research so we can learn where the upwelling and downwellings are located on the Unalakleet and tributaries that support the fish species that rely on each stream feature for spawning? (in context of similar project occurring on South River tributary of Unalakleet River) Interested in potential chinook spawning habitat enhancement sites.
34.	Subsistence residents are penalized by ocean-based commercial fish harvesting, especially by-catch.
35.	There are no sheefish, except for at the mouth of the Unalakleet River, up the North River ACEC or far up the Unalakleet River ACEC.
36.	Both the North River ACEC and the Unalakleet River ACEC are very important for salmon and chinook salmon
37.	The most important resource in the Unalakleet River and all its tributaries/watershed is the fresh clean water because it supports all life forms. “It provides clean water and clean land” that support fish, berry, bear, and firewood resources.
38.	Unalakleet River ACEC is critical for chinook salmon spawning.
39.	Block of BLM land SE of McGrath • Important wintering area for caribou from the Alaska Range, portions of the Mulchatna herd. • People from both McGrath and Nikolai use a lot of this land for trapping. • There isn’t much firewood on this land. • People from both McGrath and Nikolai go up the Salmon River and Bear Creek for Salmon in the summertime and traplines during the winter.
40.	Blocks of BLM land South of McGrath (all state-selected and native-selected) • Attendees wanted to know why these separate, random blocks of BLM land were located in these areas when it is mostly state and native corporation all around. • These blocks of BLM-managed land are close to Wiggins Lake and Wilson Slough, which are important for trapping, hunting, and fishing
41.	The George River is important to McGrath for Salmon fishing
42.	Pike fishing is really important subsistence species for our community
43.	Wiggins Lake and Wilson Slough is important for Pike fishing (South of town).
44.	Many of the whitefish species are very important for subsistence. • Locally, whitefish are important and they consist of the following species: sheefish; broad whitefish; round whitefish; humpback whitefish; least cisco; and Bering Cisco
45.	The Big River is the primary spawning area for Sheefish, also known as inconnu, for the entire Kuskokwim. It is very important for the entire Kuskokwim River for the Sheefish population. Many studies have been done and ADF&G would have these studies. A large portion of the Big River is on BLM land.
46.	The South Fork of the Kuskokwim River is very important for cisco and sheefish
47.	Upstream of Nikolai is the only place that Bering cisco spawn for the entire Kuskokwim watershed
48.	The Cheeneetnuk (lower-portion crosses BLM, upper on State land) and the Tatlawiksuk (small portion of lower and headwaters on BLM) are also very important for fishing

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49.	Primary spawning area for sheefish in Kuskokwim is the Big River, need to identify & protect portion that is on BLM land bordering Big River. Identify & protect wildlife corridors esp. movement of caribou
50.	Sport Hunting and Fishing that disturb grazing by roaming species and spawning of fish (now all limited) must cease on the Eek River.
51.	The Yukon and Kuskokwim Rivers support nationally significant salmon fisheries and provide habitat for at least 44 species of fishes. Besides salmon, other important species include whitefish, sheefish, Alaska blackfish, burbot, northern pike, grayling, and Dolly Varden. Changes in timing, magnitude and duration of water discharge, as well as changes which alter physical, temperature, chemical, or geomorphological components (e.g., erosion timing and rates) of streams will have detrimental effects on in-stream and near-stream biological communities in the rivers and perhaps on the delta.
52.	The Yukon and Kuskokwim Rivers fan out into a vast river delta that supports one of the largest aggregations of water birds in the world. Waterfowl from all four North American flyways depend on the wetland habitats of the Yukon-Kuskokwim (YK) Delta. Annually, over one million ducks and half a million geese breed here. Critical habitat for two Threatened and Endangered species, Spectacled and Steller's Eiders, occurs on the YK Delta. In addition, nearly 40,000 loons, 40,000 grebes, 100,000 swans, and 30,000 cranes return to nest on the Refuge each spring. Millions of shorebirds use the Refuge for both breeding and staging. In terms of both density and species diversity, the YK Delta is the most important shorebird nesting area in the country, and its vast intertidal zone is the most important wetland for post-breeding shorebirds on the west coast of North America. The YK Delta has been acknowledged as a wetland of international importance. The geographic extent of impacts to the Rivers' water quality, water quantity, timing, and biota extends beyond the mouth of the Delta as these Rivers export vast amounts of water, nutrients, and other materials into the shallow waters of the Bering Sea. The Bering Sea supports internationally important fisheries and marine mammal populations and several Threatened and Endangered marine species (polar bear, Steller sea lion, and several species of whale), which could be affected by changes in sedimentation rates or contaminants in the Rivers.
53.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
54.	Habitat, Vegetation, and Wildlife We understand that the RMP is being developed in part to protect wildlife species and habitat. Therefore, we would expect that beneficial and adverse effects on wildlife species and habitat connectivity would be analyzed. We suggest that the RMP/Draft EIS describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the planning area, identify known fish and wildlife corridors,

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	migration routes, and areas of seasonal fish and wildlife congregation. If fish and wildlife, aquatic, and terrestrial habitats will be significantly impacted because of activities under the proposed RMP, then the RMP/Draft EIS should include mitigation measures to minimize the impacts. Vegetation removal and access roads create obstacles to animals migrating through the area, such as caribou. Cleared areas and roads deter terrestrial animals from crossing due to lack of cover, reduced forage and browsing opportunities for species, changes in wildlife migration patterns, and occasional human activity in these areas. Cleared areas also create edge effects that likely favor several bird and wildlife species. Therefore, the RMP/Draft EIS should discuss: 1) Effects on habitat fragmentation and the creation of edge effects favoring some species, including mitigation measures. 2) Extent of vegetation removal, whether the removal would occur on steep slopes, in or near riparian areas, and where soil damage was particularly severe due to previous activities. 3) How vegetation removal would support retention of vegetation structures that are important for wildlife migration, recruitment and dispersal, rearing and feeding.
55.	Noxious Weeds and Rare Plants Following vegetation removal, invasive species can also aggressively spread into newly cleared or filled areas. The status of noxious weed projects within the planning area should be described and weed monitoring and control features identified. The RMP/Draft EIS should contain measures that are consistent with Executive Order 13112 on Invasive Species. We suggest including a description of current conditions and Best Management Practices (BMPs) that will be utilized to reduce the likelihood of introduction and spread of invasive species with the proposed management activities. If there are infestations of aquatic invasive plants (floating or submerged in water) in the planning area, the RMP/Draft EIS should include information about such infestations and how they would be managed to prevent further deterioration of water quality within on the planning area. The EPA supports integrated weed management, which would include a mix of control measures, such as cultural, biological, mechanical and chemical techniques. If activities under the RMP may impact native or rare plants, the RMP/Draft EIS should include general locations of rare plants and how these sites will be managed to minimize impacts on the plants.
56.	Wetlands and Riparian Areas As stated above, the RMP/Draft EIS should describe all waters of the U.S. that could be affected by the RMP/Draft EIS alternatives, and include maps that clearly identify all waters within the planning area. The document should include data on acreages and channel lengths, habitat types, values, and functions of these waters. Projects affecting waters of the U.S. would need to comply with CWA Section 404 requirements. Section 404 regulates the discharge of dredged or fill material into waters of the U.S., including wetlands and other special aquatic sites. The U.S. Army Corps of Engineers issues Section 404 permits using EPA guidelines. If anticipated projects under the RMP/Draft EIS would involve discharge of dredged or fill material into waters of the U.S., the RMP/Draft EIS should include information regarding alternatives to avoid the discharges or how potential impacts caused by the discharges would be minimized and mitigated. This discussion would include the following elements: a) Acreage and habitat type of waters of the U.S. that would be created or restored. b) Water sources to maintain the mitigation area. c) Re-vegetation plans, including the numbers and age of each species to be planted, as well as special techniques that may be necessary for planting. d) Maintenance and monitoring plans, including performance standards to determine mitigation success. e) Size and location of mitigation zones. f) Parties that would be ultimately responsible for the plan's success.

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	g) Contingency plans that would be enacted if the original plan fails. Mitigation should be implemented in advance of the impacts to avoid habitat losses due to the lag time between the occurrence of the impact and successful mitigation. Activities affecting floodplains are also regulated under the CWA Section 404 and Executive Order 11988, Floodplain Management. The RMP/Draft EIS should include information explaining why specific activities would be located in floodplains, what alternatives were considered, and the steps to be taken to minimize impacts to floodplains. Floodplains perform a vital function of conveying and dissipating the volume and energy of peak surface runoff flows downstream. Periodic flood flows therefore form and sustain specific habitat types such as wetland and riparian areas within floodplains. Because of that, unimpaired flood flows should be preserved and flood-related damage to downstream resources should be prevented.
57.	Cumulative Impacts In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities.
58.	State Management Responsibilities The Alaska Department of Fish and Game (ADF&G) serves as the primary agency responsible for management of fish and wildlife on all lands in Alaska regardless of ownership. Clarification of this role and a commitment to cooperate with BLM in related matters is addressed in the Master Memorandum of Understanding between the BLM and ADF&G. The State requests that the respective roles of ADF&G and BLM be fully recognized in the plan along with a BLM commitment to cooperation in issues that affect each other's responsibilities.
59.	State Management Responsibilities The State requests that the plan and planning process explicitly recognize our fish and wildlife management authorities that overlay BLM's land management responsibilities. We note references in the preliminary planning and scoping documents, which erroneously imply BLM manages wildlife and fisheries populations. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's responsibilities as the manager of fish and wildlife and their populations, with some limited exceptions where Congress has expressly provided that responsibility to the federal government. Regardless, wildlife and fisheries population management are outside the scope of this RMP.
60.	State Planning Efforts For information on State management authorities, and language that can be incorporated into the plan if desired, please see the attached "Select State Tools" document, dated December 2010. This document helps to illuminate some of the many jurisdictional issues that are often overlooked and which may be relevant within the RMP, such as: a) The DNR and ADF&G should both be consulted regarding management of all water bodies within the planning area for issues related to state

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	authorities, including anadromous stream crossings, diversions, public use, placer mining, and dam construction; b) When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the common good of all residents; and c) The Department of Environmental Conservation (DEC) has numerous regulations used to monitor and mitigate impacts to resources within the state, including human waste disposal, air and water quality standards.
61.	State Planning Efforts The planning area includes ADF&G Game Management Units (GMU) 18, 19A, 19B, 19C, 19D, 20C, 21A, 21D, 21E, 22A, and 22D. Information resources developed by ADF&G may prove useful in analyzing fish and wildlife habitat, distribution, and use within the planning area. Documents that may be of assistance include: 1) Wildlife Action Plan: http://www.adfg.alaska.gov/index.cfm?adfg=species.wapabout 2) Alaska's Wildlife and Habitat, ADF&G, Jan. 1973. 3) Alaska Habitat Management Guide Series 4) Anadromous Waters Catalog: http://www.sf.adfg.state.ak.us/SARR/FishDistrib/anadcat.cfm These documents and other information on fish and wildlife habitat, distribution, and use for each GMU within this planning area are available at the Anchorage ADF&G office. Please note that the ADF&G no longer maintains a "Species of Special Concern" list.
62.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
63.	Mineral Management Transportation of equipment to mine sites should be routed in uplands to the maximum extent practicable to avoid crossing waterbodies and/or require winter transport, particularly when crossing fish-bearing waterbodies. Stream substrate of crossing locations should be

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	composed predominately of cobble. For all-season routes trails should be required to be developed and maintained to support given equipment, and other resource users should have access along these trails. Consultation with ADF&G's Division of Habitat and/or Title 16 Fish Habitat Permit is required for all work below the ordinary high water (OHW) mark, including stream crossings of fish-bearing water bodies and to determine if a permit is required.
64.	Areas of Critical Environmental Concern We request that the plan provide clear information on how Areas of Critical Environmental Concern (ACEC) are designated and their management implemented, including how uses within them may be limited. Few members of the public are familiar with this designation and need to have information presented to them that will allow consideration of their proposed use and the development of comments. The Southwest Planning Area Management Framework Plan (MFP), which encompassed much of the BSWI planning area, included numerous proposals for wildlife habitat management, such as proposed ACECs. ACECs were proposed for peregrine falcon and other raptor nesting areas, brown bear denning and heavy use areas, and for chum salmon habitat. Additional areas were also proposed for Habitat Management Plans, such as priority moose habitat areas, and priority caribou winter range areas. Our understanding is that neither ACECs nor Habitat Management Plan proposals were acted upon through the MFP. If BLM re-evaluates any of these proposals in the BSWI planning process, we request close coordination with ADF&G to ensure consistency with state fish and wildlife objectives.
65.	Fish and Wildlife We request that BLM not reference "population levels" in any of its issues, criteria, or goals/objectives for the RMP because they are outside the RMP's scope. Except for some migratory species, population goals and objectives are the responsibility of the State. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's authority as the manager of fish and wildlife. We recommend use of the term "general hunting" in lieu of the term "sport hunting" in the RMP for consistency with terms used in the state hunting regulations. We also note that Alaska resident hunters may subsistence hunt under state hunting regulations as well as under specific federal regulations. Subsistence hunting encompasses more than hunting under the federal subsistence hunting regulations. When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the maximum benefit of all residents. Any restriction on a particular resource use to protect habitat should require rigorous scientific data to support the decision, including consultation with the appropriate state manager and area residents. Analysis of the decision should consider the extent, level of intensity, frequency of the particular activity, and the impact of the specific disturbance at the population scale of the resource. Any specific action or restriction beyond what can be regulated under the statutory authority of the State should be considered on a case-by-case basis.
66.	Subsistence In relation to this planning process, ADF&G conducted subsistence harvest surveys documenting household harvests of fish and mammals in Anvik, Grayling, McGrath, Nikolai, and Russian Mission in 2011. In 2009, similar surveys were conducted in Aniak, Chauthbaluk, Crooked Creek, Lower Kalskag, Red Devil, Sleetmute, and Stony River. Older, but still relevant subsistence harvest information also is available in the CSIS and TP series for other communities located in the planning area. Of particular importance in this area are potential impacts to authorized uses of moose populations of Game Management Units 18,19, 20C, 21A, 21D, 21E, and 22D; Pacific salmon species; and resident fish such as whitefish and northern pike. Useful information for each community that uses or has used BLM lands for subsistence activities includes: specific geographic areas involved and the extent of use for particular seasonal harvest activities (vs. other lands); species harvested; seasonality of use; and how the area is accessed for subsistence harvest activities. Comparable data probably are not readily available in published sources for all communities, but the ADF&G Division of Subsistence TP series and CSIS are good starting points. In the BSWI Issues to be Considered document, the Public Safety, Social and Economic Features section states "How can the BLM protect resources that are important to maintaining a subsistence lifestyle?", which implies that resources are currently not protected or being damaged. The more appropriate question is, "Are subsistence resources being damaged and is additional protection needed?" This

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	is a resource management concern (Issue #1 not #4).
67.	In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the most commonly expressed issues. 1) The plan must be developed in accordance with the provision of ANILCA. 2) DNR Area Plans establish management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for these areas. 3) The State requests that BLM recognize existing state authorities relative to fish and wildlife management. 4) If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas. State and native selections should be identified in the plan. 5) Reasonable consistency or compatibility in terms of management will minimize user conflicts and confusion. 6) If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access. 7) The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple uses. The State appreciates efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible. Thank you for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.
68.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
69.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
70.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses

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	and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
71.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
72.	Climate Change Local and International Fisheries Alaska's wild salmon fisheries are among the best managed fisheries in the world. Despite the hard work and efforts of many, the uncontrollable warming of waters is taking its toll on the international Yukon River Salmon fisheries. Climate change is altering the aquatic environment - one example of this is the potential link between warming waters and the disease Ichthyophonus hoferi, now being seen in growing numbers in Yukon salmon. The incidence of the disease may be positively correlated with water temperatures – the Yukon River has been warming for thirty years and has been experiencing break up earlier in the spring. The impact of the disease includes losses in subsistence, both local and international, commercial and sport fishing on the river. (Kocan et al, 2004) The changes in the aquatic environment are being studied, documented, and predicted for all areas of Alaska. The Department of Fish and Game submitted its finding to the Alaska Climate Impact Assessment Commission. Predicted impacts to fisheries resources are likely to include: a) 'Extended economic loses are possible as traditional target stocks change in relative abundance and location.' b) 'Increases in predatory fish (e.g. arrowtooth flounder, mackerels) may lead to lower guideline harvests for targeted fish (e.g. groundfish and salmon).' c) '[Ocean a]cidification could also impact zooplankton development, thereby affecting fish survival of species (e.g., sockeye salmon) dependent upon zooplankton.' -- 'The potential for decreased production of some recreationally targeted fish stocks and increases in other may necessitate geographic realignment of fisheries and adjustment of management plans.' d) 'Changes in stream flows and water quality may alter fish species distribution and composition. It could also alter the type and quantity of fish habitat that could impact ecosystem productivity. Instream flow needs for fish and wildlife and their uses will also need to be reevaluated.' e) 'Fisheries managers will need to increase efforts for prevention, monitoring, and control/eradication of invasive species that will be expanding their ranges or those newly arriving.'

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	f) 'Fishery regulations will need to adapt to a longer open water season, allowing for potentially higher harvest rates on some recreational fish stocks.' g) 'New assessments of fish habitat (e.g. anadromous waters or fish community data) will need to be prioritized and implemented to meet [DNR] statutory and regulatory responsibilities.' h) 'Adjustments to outreach, education, and involvement programs will need to be made to inform and educate the public about changes in fish and fisheries (both good and bad) due to climate change.' (Alaska Climate Impact Assessment Commission, Attachment A)
73.	Climate Change Local and International Fisheries Management of fisheries and aquatic habitat must be flexible and progressive in order to be effective. Stream reclamation and habitat improvement activities must also incorporate climate change. All habitat and population enhancement projects, particularly those anadromous streams that will have the greatest snow-rain transition, will have increased difficulty in attaining goals and recovery targets. Most recovery plans typically do not account for climate change and as a result inaccurately predicts the success of efforts. Habitat restoration and protection will further help mitigate climate change impacts to healthy fisheries – reduce or slow the result of the warming trends in Alaska's waters. (Ruckelshaus et al, 2007) The BLM must work closely not only with other federal agencies but also with state and local authorities. The League recommends that BLM consider creating a working group – or that BLM become more closely involved with an existing working group for current and future management, monitoring and studies. We suggest the following local Native and international authorities/commissions: 1) Yukon River Drainage Fisheries Association; 2) Yukon River Panel; 3) Yukon River Inter-Tribal Watershed Council; 4) Association of Village Council Presidents 5) Maniilaq Association; 6) Individual Tribal Governments; 7) Norton Sound Watershed Council; 8) Kuskokwim Watershed Council; 9) Western Arctic Caribou Herd Working Group and 10) Alaska Native Science Commission.
74.	Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and

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	propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'
75.	The Kuskokwim River The Kuskokwim watershed, with its 58,000 square miles represents more than a 10% of the Alaskan territory, and is larger than half of the states in our nation. Situated south of the Yukon watershed, the Kuskokwim is the longest free flowing river of the U.S.. Subsistence fishing is of major importance to the residents of this region and the largest subsistence harvest of chinook salmon in the state is taken from the Kuskokwim River.
76.	The Kuskokwim River Current Management and Health of the River The Alaska Department of Fish and Game manages the Kuskokwim River for commercial, sport subsistence, personal use and research. They also are a participating member in the Kuskokwim River Salmon Management Working Group, where federal and state fisheries managers meet with local users to cooperatively manage for salmon in the river. Subsistence use is given a priority in the management of the river as stated on their website, "Subsistence uses of wild resources are defined as 'noncommercial, customary and traditional uses' for a variety of purposes. These include: Direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption (AS 16.05.940[32]). Under Alaska's subsistence statute, the Alaska Board of Fisheries must identify fish stocks that support subsistence fisheries and, if there is a harvestable surplus of these stocks, adopt regulations that provide reasonable opportunities for these subsistence uses to take place. Whenever it is necessary to restrict harvests, subsistence fisheries have a preference over other uses of the stock (AS 16.05.258)."13 Additionally, the Kuskokwim River Watershed Council was an organization formed to protect the Kuskokwim River. The council provides management guidance to maintain and promote traditional subsistence life for the residents. The vision is to manage the land, water and air healthy for people, animals and plants, to pass on to the next generations. There are several mining operations located within the Kuskokwim River watershed, but the one of greatest concern is the Donlin Creek prospect located on private land within the Iditarod Block. This large scale gold mine will require significant infrastructure for mine development and maintenance during the life of the mine, as well as, long into the future to manage the contaminated water, known as tailings ponds, for which water treatment will be necessary in perpetuity. BLM needs to consider this project as it impacts water quality and quantity in regards to fish spawning and rearing habitat, subsistence use and mine infrastructure fragmenting the intact ecosystem.
77.	The Yukon River Current Management and Health of the River The Yukon River is fundamental to the Bering Sea ecosystem as it provides nutrients through sediments and dissolved solutes. Processes that influence the Yukon therefore influence the Bering Sea. (Barbets et al, 2000) Despite its remoteness and perceived invulnerability, the Yukon River Basin is changing as a result of various sources. The area is experiencing warming on average of 1.4 degrees Fahrenheit per decade which has great impacts on water quality and disease occurrence for resident and anadromous fish species. (Chapman and Walsh, 1993) Salmon and other fish species require adequate water quality for their survival as does the abundant wildlife present in the Yukon River basin. (Barbets et al, 2000) Yukon River Ichthyophonus (Ick) has increased in prevalence in Chinook salmon populations of the Yukon River. The prevalence of the disease increases with higher water temperatures in the later summer months, the proliferation of the parasite is shown to be linked to these higher water temperatures. The source of the infection is unknown and juveniles do not appear to be impacted. Resident fish, such as the burbot, that feed on the returning salmon are suffering

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	increased rates of mortality and may become an avenue for juvenile Chinook infection. (Kocan et al, 2004) The Yukon River Chinook are currently listed as a 'stock of yield concern' by the Alaska State Board of Fisheries under the guidelines established by the Sustainable Salmon Policy. This summer subsistence fishing has been restricted in Alaska. Canadian access has been limited to aboriginal uses only – who have voluntarily restricted their harvest for the future health of the species. Further impacts on water quality are identified but not quantifiable and include: impacts from migration of pollutants from middle latitudes, mining activities and previous military occupation. (Barbets et al, 2000) The Yukon River Inter-Tribal Watershed Council found, in 2002, that western water quality standards and guidelines, in Alaska and Canada, were not acceptable for Tribes and First Nations. YRITWC recommends that a holistic standard should be developed: Even though streams and rivers may fall within the stated standards and guidelines at a given time, when sampled, the watershed may not be healthy in the holistic sense of providing an environment for the flora and fauna of the watershed. (YRITWC, 2002) In talks with Elders the YRITWC has found that there are observations of: [D]ecrease in fish and wildlife populations, changes in animal distribution and an overall sense the watershed is unhealthy. Elders have noted changes in not only anadromous salmonid populations but also in freshwater fish such as the winter staple whitefish, as well as an increase in the incidence of tumors and cysts in both fish and wildlife, which is also indicative of the change in human health. The health of the indigenous peoples of the watershed is related to the health of the subsistence foods, which they eat. (YRITWC, 2002)
78.	<u>The Yukon River Current Management and Health of the River</u> YRITWC provides a definition for healthy watersheds: A healthy watershed is not just about water, but many other things are needed to comprise a healthy watershed. If the animals are healthy, then people are healthy. People interact with the entire environment. Clean water is associated with a sense of wilderness. The beauty of the land is shown. The natural food chain is in its original abundance. The same message is presented whether the drawing is of one lake up to an entire watershed. Water is precious. Diversity, unity and the cycle of life are apparent. (YRITWC, 2002) In the summer of 2013 the Yukon River Inter-Tribal Watershed Council (YRITWC) approved a water management strategy for the Yukon River Watershed. We recommend the BLM work with the YRITWC to gain an understanding of this management strategy and work together to support the implementation of the YRITWC approved management plan.
79.	<u>Areas of Critical Environmental Concern</u> The Bering Sea Western Interior planning area contains 5 Areas of Environmental Concern (ACECs) and no Research Natural Areas (RNAs). Depending on current land status realities, current management of the ACECs in the Bering Sea Western Interior planning area should be maintained. Keeping these special areas closed to mineral development is a high priority. BLM's Land Use Handbook requires that ACECs must be protected to prevent irreparable damage to resources. The BLM should closely examine the planning area and seriously consider expansion of some of the ACECs and investigate nominations for more ACEC designation. • Current ACECs – mineral exploration currently allowed in all ACECs. • Anvik River - Spawning habitat for the largest population of chum salmon in the Yukon River system. Large population of trophy-class grizzly/brown bears • North River -Salmon and sheefish spawning and rearing • Unalakleet River -Salmon and sheefish spawning and rearing • Peregrine Falcon Nesting Habitat -Peregrine falcon and habitat protection • Kuskokwim Raptor Nesting Habitat - Important nesting habitat for bald eagles, golden eagles, osprey, and gyrfalcons (all raptors) In 1991, BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat

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80.	National Wild and Scenic Rivers The current management of the Unalakleet Wild and Scenic River in the planning area is consistent with the original intention of the designation and goals of the National Wild and Scenic Rivers Act. According to the management plan the Unalakleet River was designated as a component of the National Wild and Scenic Rivers System through the ANILCA, by which Congress intended that it be preserved in a free flowing condition, and that the river and its immediate environment be protected for the benefit and enjoyment of the present and future generations. The most important resource stated in the Unalakleet National Wild River Management Plan is the salmon fishery with runs exceeding 100,000 fish. The fishery contains chinook, coho, chum and pink salmon all of which use the river and its tributaries as spawning grounds and supply the subsistence, commercial and sport fisheries. Arctic grayling and arctic char are also plentiful. Wildlife is abundant area with moose in the river valley as a wintering ground, and the brown bears and black bears feed on spawning salmon in the summer. Waterfowl and other birds use the area as a nesting ground and plentiful in the ice free season (Unalakleet National Wild River Management Plan, 1983). Unalakleet River Future Management/Impacts The Unalakleet Wild River needs to be managed so support the wild fisheries. Further, the tributaries not designated under the Wild and Scenic River listing also need to be managed to protect the salmon and varying fish species spawning and essential habitat areas.
81.	Recommendations for Wild and Scenic River Status The rivers listed below need to be considered for Wild and Scenic River status. All of these rivers support important fish species, are free flowing, and that the rivers and their immediate environments must be protected for the benefit and enjoyment of the present and future generations. It is very important during the evaluation process that BLM work closely with local communities to explain what a Wild and Scenic River designation means for protection and how it does not inhibit the ability of local people to participate in subsistence, and traditional and customary practices. The Yukon River and the tributaries within the Yukon River watershed are extremely important for wild fisheries, recreation, subsistence, traditional and customary use. Recommendation: Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible.
82.	Wild and Scenic River Goals Goal 1: Conduct and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of damages to WSRs by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: In order to maintain the values for which the river was designated BLM must more strictly manage placer mining and water quality standards. Goal 4: Water quality standards for all proposed and currently designated WSR must be consistent with efforts to restore salmon populations on the Yukon River and its tributaries.
83.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.

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84.	Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: a) Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; b) Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and c) Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
85.	Coal (leasable) Coal is a significant mineral resource in this planning however much of it is not located on BLM managed lands. Only coal resources identified as having development potential as acceptable for further consideration for leasing will be considered for either surface or underground mining operations as stated by BLM. BLM is required to thoroughly evaluate the comprehensive impact of coal exploration and extraction to the planning area including infrastructure needed to support the operation, air quality impacts, water quality, impacts to wildlife life habitats and wildlife. This evaluation does not mean the exploration and development of coal should be considered. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind.15 Any coal exploration, development, prospecting and transportation should be considered in this EIS. The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a coal mining environment like few in the world. Impacts associated with support infrastructure to facilitate the operation persist, and are more difficult to mitigate. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible to reclaim due to slowed vegetation and geologic adaptations. Surface-mining impacts include surface-environment degradation from infrastructure and pit, as well as permafrost thaw, alteration of aquatic ecosystems, and degradation of air quality. Coal mining activities deserve special attention because they can introduce coal dust to the air and water, which is often very fine and contains heavy metals. Degraded air quality from these activities and also from truck and mining equipment emissions can have an adverse impact on human and animal health. The associated indirect impacts of digging up coal include numerous impacts from burning that same coal. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind. Any coal industrial activities will then contribute to global warming, which disproportionally impacts the Arctic. It is essential that these reasonably foreseeable impacts from destroying the landscape to dig up coal will also result in increased mercury transport to Alaska. Burning coal releases mercury into various levels of our ecosystem and atmosphere that can then bioaccumulate in fish, which then pass up the food chain to humans sometimes at toxic levels especially in women. If local communities cannot consume fish, it will be detrimental to their health and culture. The results from mercury contamination must be taken into account in this EIS. Recommendations:

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	1) BLM fully consider impacts to BLM lands from potential coal projects on neighboring lands 2) BLM prohibits coal exploration and production on BLM lands
86.	Proposed Pipeline It is estimated that the proposed Donlin Gold mine would require an average load of 157 megawatts. To provide the amount of power required to operate the mine at peak capacity, a 14 inch, 312 mile long buried pipeline to transport natural gas from the Cook Inlet region to the mine site is being considered. This would be an alternative to barging in diesel fuel from Bethel. If the pipeline is included in development, approximately two barges per day would take small amounts of diesel fuel and camp supplies from Bethel to a port site approximately eight miles downriver from Crooked Creek, and would then be transported on a 30 mile access road to the mine site. Many other options to provide power such as coal, hydroelectricity, a power line intertie, biofuel, and even nuclear energy, were considered during the feasibility analysis but did not meet the current needs of the project. This infrastructure and energy requirement for the Donlin Creek Gold mine must be considered in the short and long term impact analysis to BLM lands.
87.	Fish and Wildlife Habitat Considerations Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term (defined as the individual summer season within which the operation is functioning) and local (defined as within 500 foot downstream of the operation). (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002)
88.	Fish and Wildlife Habitat Considerations Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: a) Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; b) Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and c) Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
89.	Mineral Management Goals Within the Bering Sea Western Interior area 125,444 acres of the lands open to Appropriation and Disposition under the Public Lands Act are also open to mineral leasing which include oil and gas, coal, geothermal and peat (Southwest Management Framework Plan 1981). Lands encumbered by withdrawals are not open to mineral entry. There are areas of high mineral potential in the eastern and central portions of the Planning Area in a mineral belt extending from northeast to southwest. We encourage BLM to carefully consider future locatable and leasable mineral development. The listed goals below will provide BLM a framework to use for decision making. Goal 1: Institute and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of further damages important to aquatic habitat by prohibiting stream diversion and enforcing reclamation standards for all existing

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	mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: Many of the rivers and creeks could be serving as a drinking water source for villages throughout the Yukon River and Kuskokwim River basins such as the Nulato River. BLM needs to inventory all streams and rivers used as drinking water sources and manage them for drinking water quality. Goal 4: Increase protections from development within proposed Wilderness Study Area recommendation designations. This includes considerations for improving operations standards as technology has improved for development, closures and limitations. Goal 5: Appropriate construction should be timed to avoid sensitive life stages for fish. Goal 6: Monitoring before and after development to be able to measure the impacts of development. Goal 7: Establish adequate perimeters for seismic activity to prevent damage to fish bearing streams.
90.	<u>Mineral Management Goals Recommendations:</u> 1) Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. 2) BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. 3) BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. 4) The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. 5) BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. 6) The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. 7) The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands. 8) The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. 9) The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
91.	<u>Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts</u> The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including

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	but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
92.	BLM please protect the fish and wildlife in these areas and their habitat to better support a healthy ecosystem and also our traditional way of life. Thank you.
93.	THE LEGAL FRAMEWORK FOR PLANNING Federal Land Planning Management Act or FLPMA provides the general framework for BLM's land management decisions. FLPMA directs the bureau to manage lands for multiple uses, but one of Congress's goals in promulgating the statute was that public lands would be "managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . ." as well as to "preserve and protect certain public lands in their natural condition" and provide "food and habitat for fish and wildlife." 43 U.S.C. § 1701(a)(8). Section 202 of FLPMA, 43 U.S.C. § 1712, directs the BLM to develop resource management plans and requires that in developing plans, the agency will: • Use and observe the principles of multiple use and sustained yield and recognize that multiple use does not mean all uses in every place; • Use an interdisciplinary approach to integrate physical, biological, economic, and other sciences; • Give priority to designating and protecting areas of critical environmental concern; Rely, to every extent possible, on an inventory of public lands, their resources, and other values; • Consider present and potential uses of public lands; • Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values; • Weigh long-term benefits to the public against short-term benefits; • Provide for compliance with applicable tribal, Federal and State pollution control laws, standards, and implementation plans; and • Coordinate the land use inventory, planning and management activities of public lands with land use planning and management programs of

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	other agencies.
94.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
95.	AREAS OF CRITICAL ENVIRONMENTAL CONCERN In addition, the bureau's manual directs that, for ACECs proposed in at least one alternative, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). BLM should include specific management prescriptions for each ACEC that will protect the highlighted values, such as mineral withdrawal or route designations. Id. and Section .33.C (Provision for Special Management Attention). Setting out more real protections and detailed management prescriptions in the RMP will ensure security of the ACEC values. There are five existing Areas of Critical Environmental Concern in the Bering Sea Western Interior planning area. They are: 1) North River ACEC – important landscape values supporting salmon and sheefish spawning and rearing habitat; 2) Unalakleet River ACEC - important landscape values supporting salmon and sheefish spawning and rearing habitat; 3) Anvik River ACEC – spawning habitat for the largest population of chum salmon in the Yukon River system and large populations of trophy-class grizzly/brown bears; 4) Peregrine Falcon Nesting Habitat – several Peregrine Falcon Nesting ACECs are currently in place.

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	5) Kuskokwim River Area Raptor Nesting Habitats – Important nesting habitat for bald eagles, golden eagles, osprey and gyrfalcons (all raptors). Recommendation: We recommend the bureau retain all existing ACECs in the Bering Sea Western Interior planning area and expand and improve management prescriptions to protect these important places. We recommend establishment of new ACECs to protect anadromous fish and caribou habitat. The Bering Sea Western Interior plan must evaluate a range of alternatives including ACEC designations to protect sensitive and important resources in the planning area. The RMP should establish robust management prescriptions to ensure real protection for the resources which ACECs are designated to protect. Pew will submit additional information to BLM between now and the release of the draft RMP to nominate additional specific areas for protection.
96.	Public Land Orders & Mining Recommendation: We recommend modification of Public Land Order 5180 to disallow metalliferous mineral entry for all lands currently governed by thereunder, paralleling the protections provided by PLO 5184. Further, the RMP should take a precautionary approach, and provide PLO 5184 protections for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development; • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, and SRMAs ; • Lands within ½ mile of anadromous rivers and streams; • Primary fish spawning habitat; • Community drinking water aquifers; and • All lands subject to PLO 5180.
97.	As for the Georgetown area, it is important that our tribal lands remain intact so that our current and future members will have a place to call home. The traditional fishing and hunting grounds around Georgetown are of great importance to our people and any decisions made need to consider and protect those locations (Brown, pg 99). The George River not only provides hunting and fishing opportunities to those in the region, but it also allows the local population to access ancestral grounds that go back hundreds of years.
98.	Included in this document are three maps of the Georgetown area, an "Overall Site Context" map, a "Site Analysis" map, and a map documenting important subsistence and environmental areas. These include only some of the areas and specific locations that are important to the Native Village of Georgetown, mainly those in close proximity to Georgetown itself. The locations marked in red on the site context map mark areas of cultural significance to our members. The Site Analysis Map should give you a general idea of the layout of the land. The "Environmental and Subsistence Areas of Significance" map marks specific locations as related to the location of Georgetown Native Allotments. Georgetown Members have a fish camp on the river, and spend two or three weeks every summer harvesting salmon for their families. ADF&G and the Kuskokwim Native Association have a fish weir on the George River, which helps to monitor the escapement of salmon to their spawning grounds on the George River. Lastly, the GTC is in the process of collecting baseline water quality data for the protection of water quality in the Kuskokwim and George Rivers, These areas need to be preserved for our members, and for future generations. In a recently published report by the Alaska Department of Fish & Game, the subsistence use details of Georgetown members is well documented (Brown, 2013). Technical Paper No. 379, pages 81-113, summarizes the results of a study conducted on 21 households in 2010 that included members of Georgetown. Page 99 of this document includes a map identifying "harvest locations and search areas for all resources" of Georgetown members who contributed to the research done for the paper. The GTC asks that those documented subsistence needs and areas be recognized and considered, while the RMP is being updated.

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99.	We appreciate the opportunity to comment on the scope of the Bearing Sea-Western Interior Resource Management Plan (BSWI RMP). YRDFA is an association of commercial and subsistence fishers on the Yukon River. The region we represent is home to some of the world's most prolific salmon resources, and the world's furthest migrating salmon runs on the Yukon River. These salmon provide a primary source of food for humans and the dogs which are essential to the continued viability of the subsistence way of life in the Yukon River watershed. For many residents the commercial salmon harvest also provides the only means of income for those who live in the remote villages of Central Alaska. Land management decisions made by the Bureau of Land Management (BLM) could have profound effects on salmon and salmon-dependent communities throughout the Yukon River watershed. We therefore ask the BLM in developing the BSWI RMP and associated Environmental Impact Statement (EIS) to: 1) Address impacts to salmon stocks, federally-protected subsistence users, commercial fisheries; Yukon River Salmon Act treaty obligations; and environmental justice implications of each management alternative, including changes to (d)(1) withdrawal status; 2) Address the cumulative impacts to Yukon River salmon stocks from this action and other reasonably foreseeable actions including salmon bycatch in the Bering Sea pollock fleet, climate change, Ichthyophonus and resource development on non-BLM lands; and 3) Conduct adequate consultation with tribal entities throughout the affected river systems as directed by E.O. 13175.
100.	<u>B. Impacts to federally-protected subsistence users;</u> The BSWI RMP and associated EIS must take into consideration impacts to federally-protected subsistence users. Chinook and chum salmon are a vital subsistence resource for rural residents throughout the Yukon River. Without subsistence salmon to feed people and the sled dogs which are an integral part of the subsistence lifestyle on the Yukon, existence in these remote villages would be difficult, if not impossible. Salmon are of irreplaceable value to the cultural, spiritual, and nutritional needs of the Native people of the Bearing Sea and Western Interior Alaska region. Subsistence salmon literally serve as the "grocery store" for village residents, and also serve vital cultural purposes. In communities where other subsistence resources such as moose and caribou have decreased, the value of salmon as the only subsistence resource is even greater. Under the Alaska National Interest Lands Conservation Act (ANILCA),1 federally-qualified subsistence uses have priority over other fish and wildlife needs in-river. Impacts to subsistence users should be analyzed on a Yukon River watershed-wide basis, as any impacts to the salmon in the Bearing Sea-Western Interior regions will be felt throughout the watershed given the anadromous nature of the fish. The result of management actions on the availability of and access to subsistence resources should be considered. Because the Chinook salmon runs are not strong enough to support subsistence needs, particular concern should be given to protecting these stocks in the BSWI RMP.
101.	<u>C. Impacts to commercial salmon fisheries;</u> Commercial salmon harvests provide one of the only sources of income in many Yukon River villages. On the Yukon River, commercial salmon harvests have declined in recent years. In some years, no directed commercial fishery is allowed for Chinook salmon. The recent 10 year average includes several years when Chinook returns were declared disasters by state and federal agencies, and necessitating many millions of dollars of aid. As with subsistence fisheries, impacts to commercial salmon fisheries should be looked at on a river-wide basis, as any impacts to salmon in the Central Yukon region will be felt throughout the watershed. Impacts to commercial fisheries should be analyzed not on the basis of economic value alone, but on the role of these fisheries as sources of employment in the affected communities.
102.	<u>D. Yukon River Salmon Act (YRSA) treaty obligations;</u> Under the terms of the YRSA, which was ratified in 2002, the United States is bound to pass a set number of Chinook and fall chum salmon across the Canadian border to provide for Canadian harvests and escapement needs. Chinook salmon escapement requirements have not been met for the last

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	five of seven years. In addition to specific escapement requirements, the YRSA also mandates habitat protection: 30. In light of the benefits they receive from the salmon originating in their portions of the Yukon River, the Parties agree that: a) salmon should be afforded unobstructed access to and from, and use of, existing migration, spawning and rearing habitats; respective water quality standards should be maintained and enforced; b) productive capacity of the salmon habitat on both sides of the Alaska-Yukon border should be maintained in order to achieve the objectives of this Chapter; and c) should access be obstructed, water quality standards be degraded or productive capacity of the salmon habitat be diminished to a degree that affects the objectives established in this Chapter, the Yukon River Panel may recommend corrective actions which may include adjustments to fishing patterns, border escapement objectives and guideline harvest ranges.2 Management measures adopted in the BSWI RMP must be compliant with the United States' escapement and habitat obligations under the YRSA.
103.	E. Environmental Justice considerations under E.O. 12898. Healthy Yukon River salmon stocks are of vital importance to the primarily Native Alaskan communities who depend on salmon for their sustenance and their livelihoods. Harm to the salmon stocks because of increased mineral development and other changes in use places a disproportionately high burden on these communities because of the central importance of this resource to Native Alaskan communities. Under Executive Order 12898, federal agencies are required to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions."3 Under this Executive Order, which has been interpreted as evidence of the government's heightened responsibility toward protecting the resources that these communities and cultures have historically depended upon,4 the BLM should analyze the disparate impacts placed on Alaska Native communities in the Yukon River as a result of changes to salmon populations, subsistence and commercial fisheries and access to subsistence resources.
104.	The EIS should address the cumulative impacts to Yukon River salmon stocks from this action and other reasonably foreseeable actions including salmon bycatch in the Bering Sea pollock fleet, climate change, Ichthyophonus and resource development on non-BLM lands; NEPA requires the analysis of cumulative impacts in addition to direct and indirect impacts. NEPA defines a cumulative impact as: the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.5 There are many past, present and future actions which have impacts on Yukon River salmon. BLM should consider in particular the impacts from salmon bycatch in the Bering Sea pollock fleet. Salmon bycatch in the BSAI pollock fishery increased dramatically in the mid-2000s and has since declined to below historical levels. Chinook salmon bycatch hit a record high in 2007 of over 120,000 Chinook salmon. So far in 2013, through November 7, 12,939 Chinook salmon have been caught as bycatch. Chum salmon bycatch peaked in 2005 at more than 700,000 chum salmon. By November 7, 2013, 124,921 chum salmon have been caught as bycatch by the BSAI Pollock fishery. According to scale pattern analysis of bycatch, recent genetic studies show that on average about 73% of Chinook salmon bycatch is of Western Alaskan origin. These numbers vary year to year—in 2011 stock composition was 68% Coastal Western Alaska (includes the lower Yukon); 2.5% Upper Yukon River and 1.6% Middle Yukon River. In contrast, in 2010 approximately 20% of the bycatch was of Upper Yukon River origin. Available information indicates that 20-25% of the chum salmon bycatch is of Western Alaska origin (including the lower Yukon) in recent years. This has likely had and will continue to have a significant impact on

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	Yukon River salmon and should be considered in the cumulative impacts of this BSWI RMP.
105.	The EIS should address the cumulative impacts to Yukon River salmon stocks The larger issue of climate change should be addressed throughout the RMP/EIS and in the cumulative impacts analysis. While we are not certain what the precise impacts of climate change is and will be on Yukon River salmon, it is clear that warming waters and changing ecosystems is, and will have a profound impact on Yukon River salmon. These impacts, as well as uncertainty, should be considered and support a precautionary approach to management actions.
106.	The EIS should address the cumulative impacts to Yukon River salmon stocks Another issue which should be considered is the impacts of Ichthyophonus on Yukon River Chinook salmon. This fish disease was first reported in Yukon River salmon in 1985 and disease prevalence has reached as high as 45%.6 Presence of the disease correlates with warming temperatures in the Yukon, although a direct cause and effect relationship has not been shown (Richard Kocan, personal communication). While the precise impacts on spawning are not known, the disease most likely affects pre-spawning mortality. In addition, because the disease gives salmon a strange flavor and texture and do not dry properly, fish which have developed signs of the disease cannot be used for human consumption.
107.	The EIS should address the cumulative impacts to Yukon River salmon stocks Finally, the impacts of reasonably foreseeable development on non-BLM land on Yukon River salmon should be considered. Other development projects including but not limited to the oil & gas development of the Yukon Flats National Wildlife Refuge/Doyon Land Exchange and the Donlin Creek mine, if developed, will have their own impacts on Yukon River salmon runs which must be considered in combination with the impacts under the BLM RMP.
108.	These scoping comments are submitted on behalf of Earthworks, a national conservation organization, with 500 Alaska members. Our mission is to protect communities and the environment against the adverse impacts of hardrock mining. The Bering Sea-Western Interior planning area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and all lands west of Denali National Park and Preserve to the Bering Sea, including Saint Lawrence, Saint Matthew and Nunivak islands. We urge the BLM to prioritize land management policies that support watershed health, subsistence use, and sustain fish and wildlife habitat in the planning process. Our scoping comments pertain to maintaining the majority of the current management for most of the lands in the Bering Sea Western Interior planning area. We also encourage the BLM to develop criteria and standards for mineral development to address the increased risks associated with the extreme weather conditions and climate change that are particularly significant in this northern region. More detailed comments are specified below.
109.	Issue A(3) Mineral Development A substantial portion of the Planning Area is subject to the mandate of ANCSA 17(d)(1), 43 U.S.C. §1616(d)(1). If the d(1) mineral withdrawals are lifted, these BLM lands will be governed by the 1872 General Mining Act. This federal law, which was enacted 140 years ago to help "settle the west," continues to govern mining activities on federal lands today. The General Mining Law of 1872 (17 Stat. 91; 30 U.S.C. § 21 et seq.) grants a statutory right to enter upon public lands to prospect, explore, develop, mine, or process mineral resources. Furthermore, the law allows a claimant to stake an indefinite number of mining claims, and those claims can be held indefinitely. The 1872 General Mining Act prioritizes mining over all other land uses, including subsistence, wildlife habitat, recreation, and fisheries. Under current interpretation of the law, mining is considered the "highest and best use" of federal lands, and federal land managers must approve any reasonable plan of operations, regardless of conflicts with other uses.1 Hardrock mining can have significant adverse impacts on subsistence use, fish and wildlife habitat, water quality, and other important land uses. According to the Toxic Release Inventory, compiled by the U.S. Environmental Protection Agency, hardrock mining is the largest source of toxic pollution in the United States.2 The impacts of hardrock mining to fish, and the inadequacies of the 1872 Mining Law to protect aquatic resources, are documented in a 2010

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	scientific article in Fisheries.3 Impacts to water quality from modern hardrock mines are also documented in a 2006 study, which compared water quality predictions during the permitting process with water quality impacts after mining commenced. It found that: a) 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). b) 76 percent of mines studied in detail exceeded water quality standards due to mining activity. c) Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail.
110.	Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orange colored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities.
111.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: 1) All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development 2) All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. 3) Lands within 400 feet of anadromous rivers and streams 4) VRM Classes I and II throughout the entire planning area 5) Primary fish spawning habitat 6) Community drinking water aquifers
112.	Proposed Kuskokwim River King Salmon ACEC

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The Kuskokwim River has experienced poor Chinook salmon returns since 2010. With salmon the staple of the traditional and customary lifestyle of communities in the Bering Sea Western Interior area, the bureau should create an ACEC on BLM land adjacent to the Kuskokwim River to protect chinook salmon runs as this declining trend over time is of a conservation concern. Healthy and abundant Chinook salmon are essential to the cultural, nutritional, and economic well-being and way of life on the Kuskokwim River. The subsistence salmon fishery in the Kuskokwim is one of the largest and most important subsistence fisheries in North America. The Kuskokwim River has experienced below average Chinook salmon returns, missed escapement goals, and subsistence restrictions since 2010. Late subsistence restrictions were imposed to protect tributaries of concern. In 2011, the Kuskokwim River experienced the second lowest estimated total run and spawning escapement of Chinook salmon. The Kwethluk and Tuluksak rivers did not meet Chinook salmon sustainable escapement goals for the fourth and fifth consecutive years, respectively. The George River did not meet its escapement goal in 2011, nor had the escapement goal been met in three of the previous four years. Only one tributary (of four with weir based escapement goals), achieved the escapement goal in 2011. In 2013, Chinook salmon escapement could very well be by far the lowest Chinook salmon escapement on record. The Bethel Test Fishery was by far the lowest on record. Not a single weir based tributary escapement goal was met for Chinook salmon nor is it likely that the drainage-wide escapement goal will have been met. Furthermore, all but one tributary had the lowest return on record. Low returns of Chinook salmon had a drastic effect on upriver Kuskokwim communities that had a difficult time catching Chinook salmon and meeting their subsistence needs. This is not the first year where middle and upriver communities have suffered.

8.2.6 Issue 6: Wildlife

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1.	Opening of moose hunting to Sept 15th.
2.	Kolmakof River - important moose hunting; especially important for folks who didn't get a Tier II permit
3.	Trail between Holy Cross and Aniak – to Paimute Slough (on Fish and Wildlife Service land) travel on BLM land to get to Paimute Slough to hunt north towards Holy Cross (ptarmigan, moose, bear) and to go fishing (Pike). Trail from Aniak to Holy Cross used by both snowmachines and ATVs almost year-round.
4.	Oskowalik River - important for all the same reasons, moose hunting in the fall
5.	Pike Lake - important for lake fishing (pike), some float plane access, berry picking, spring and fall waterfowl, moose hunting, ptarmigan hunting
6.	BLM lands south of Aniak – important for trapping and Mulchatna Caribou Herd
7.	Keep withdrawals closed (to mining), benefits moose and habitat for other animals
8.	Winter Moose Hunts - cannot hunt within 1/2mile of Yukon River according to Subsistence Regulations. Makes getting a moose more difficult.
9.	Supportive of wolf-hunting/predator hunting on BLM lands
10.	easy access to black bear, too many black bear
11.	Kilbuck Mountains - Kilbuck herd converging with Mulchatna herd
12.	Beaver populations have spiked, get into subsistence nets
13.	BLM lands south of Aniak – important for trapping and Mulchatna Caribou Herd
14.	Map Suggestion: missing a creek that flows north from the Kuskokwim between Upper Kalskag and Aniak onto BLM lands. This creek is used during high water years to access moose on BLM lands.
15.	BLM lands east of Bethel: important for moose, caribou, trapping wolves, lynx; important for trapping in general, not so important for waterfowl
16.	Lower Kusko villages are interested in water-fowl, berries, timber, fur-bearing animal trapping all available on BLM lands upriver
17.	River traffic from Lower Kuskokwim villages is common very far upriver, above Bethel, for moose hunting
18.	BLM lands between Marshall and Russian Mission along the Yukon are important sources of firewood and moose
19.	State management efforts for predator control have hit roadblocks against federal rules
20.	To ensure access for subsistence, subsistence users would like some federal intervention/engagement in predator control even though BLM doesn't manage game.
21.	BLM land block east of Chuathbaluk – caribou there
22.	Primary subsistence resources = bear, moose, berries
23.	Muskox, moose, bears primary species
24.	Buckstop Pass - Holitna Pass: caribou until 15 years ago, caribou used to come with 6-7 miles of Chuathbaluk
25.	Many reindeer herds/herders in the region before (Lisa found reindeer collar bell in her Crow Village garden)

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26.	Reindeer herders just stopped herding them, domestic animals left to mingle in with wild herds
27.	Caribou used to travel the Holitna River-west towards Tuluksak, the Tikchik folks hunted there - "Kilbuck herd"
28.	BLM land block east of Chuathbaluk – caribou there
29.	Lime Village (Lime Hills) caribou have been back for several years
30.	Approx. 6-8 muskox in mountains behind Chuathbaluk
31.	Some believe there are local Peregrine falcons registered, Numbered/tagged?
32.	Three-step Mountain (on Fish & Wildlife Service lands) has some caribou
33.	Elder Lucy (seasonal migrations in childhood): spring camp from Chuathbaluk to Kalskag via dog team, one portage. Spring camp for "Parky squirrels" (squirrels for making parkas) 300 squirrels needed for a parka. NYAC mine area hot springs, Crow Village people would go to NYAC Area for spring camp. Then move west to tundra for waterfowl and muskrat in summer – then move upriver with the Salmon to Aniak River for fall camp. Had rains in August.
34.	We frequently use the George River for subsistence moose, caribou, salmon, and trap beaver. There used to be 8,000 people that lived up the George River at one time.
35.	BLM land west of Grayling: • Is important for trapping, mostly east of the Yukon River
36.	North & Northwest of Grayling: • Is important for berry-picking. • Is important for future potential caribou hunting if the caribou ever migrate back this way (Western Arctic Caribou Herd).
37.	BLM land east of Grayling: • Is important for waterfowl hunting areas trapping.
38.	We wish that there was only our federal hunt in our area; no additional hunts or hunters.
39.	The guided hunters take our camps. Guided hunters only take large trophy animals that are important for breeding.
40.	We aren't that interested in getting meat from trophy hunters because they don't take good care of their meat and it usually hangs for too long.
41.	We would like to propose to get rid of the value of moose antlers by requiring they have to be cut in half to remove the trophy hunting that occurs here.
42.	We are very interested in seeing the bison reintroduction even though we would probably never be able to hunt the population, it would be important to our future generations who could hunt these animals for food.
43.	There has been a decline in the duck population. What effect does the pike or beaver have this decline? Could BLM propose a study to help understand the lower duck numbers?
44.	There are some people outside of Anvik who may do some trapping or moose hunting near the Anvik River.
45.	We see evidence of climate change around with all the flooding and damming problems, though some of that is also related to all the beaver population and beaver dams.
46.	The proposed AVCP road would not cross BLM land, but attendees felt confusion over the purpose of the road, like they were not well informed and were frustrated that since the road might be on state land, villages had no say in the process.
47.	There was confusion over allowable subsistence cabins and Outfitter-Guide cabins on BLM lands

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48.	Beaver population has increased and it has decreased the spawning habitat
49.	Mulchatna caribou migration patterns have changed and moved farther away from community to the south. There is wolf and hunting pressure on the herd. The herd has not been seen in many years in the Whitefish Lake area (south of town on USFWS land).
50.	Moose management: all the moose in the village can be a safety hazard to the children.
51.	Beaver trapping and range expansion: trappers farther west are seeing beavers where they didn't see them before
52.	Grizzly bear populations have increased
53.	Proposed Road - concerns raised over the Association of Village Council Presidents (AVCP)-proposed road from Kalskag to the Yukon River Paimut Slough. Community members were told that only business traffic would use the road and it would be closed to other travel, though they are concerned that it will not be patrolled and that has the potential to increase local fishing and hunting pressure. The community members desire access to the road, if built, for subsistence purposes.
54.	Reindeer herding occurred historically in the area and there is interest in future opportunities
55.	Community members are interested in offering guided tours to visitors/tourists to visit a village and learn about rural village life, offer tours of the surroundings, to see wildlife and birds, possibly developing some type of ecotourism that would likely occur on lands close to the village (Native Corporation-owned or Fish and Wildlife Service-owned).
56.	BLM lands west of Russian Mission (RM) • Use the lands for: berry picking; wood cutting; trapping marten and beaver; hunting moose, bear, wolf; travel the trail to Marshall in the winter.
57.	Not supportive of mining on BLM lands close to RM as the toxicity can disorient the fish and the runoff from mining lands would reach the Yukon River.
58.	Concern was expressed about beaver dams preventing fish from spawning
59.	Get some of our moose over in Paimute Slough, Unit 21e
60.	Trapping • Up Stuyahok Creek, up Mountain Creek, west of RM
61.	Caribou • We go way north across BLM land to Needle Mountain (on FWS land) for caribou. • There were caribou at Whitefish Lake as recently as 4 years ago. • We mostly go north
62.	We see Supercubs land in town with big moose racks tied to the plane and no meat to pass to the village. Those Supercubs go back and land on BLM lands behind RM.
63.	Moose • We go near Pike Lake • We go up the Anvik River • Up Mountain Creek
64.	It is hard to know where State/Native/Federal land boundaries are when you are hunting

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65.	Peregrine Falcon ACEC • There are many raptors and eagles in the area of RM. • There are falcons right in front of the village. • There are raptors and eagles where the red dot is on the map for the Peregrine Falcon ACEC. • The Audubon Society brings people out here every couple of years and they photograph the cliffs and birds, they don't come to our village and visit. It is important to protect those areas so that those birders would still continue to come and visit.
66.	Caribou were historically in the Unalakleet-area and well to the south of town.
67.	Kingmetolik River is current southern boundary of Western Arctic Caribou Herd migration
68.	North River ACEC is valuable for caribou hunting that is reliable every year
69.	Desire to protect Kingmetolik River area (due east of Shaktoolik) and the North River ACEC for future caribou herd migration
70.	Block of BLM land SE of McGrath • Important wintering area for caribou from the Alaska Range, portions of the Mulchatna herd. • People from both McGrath and Nikolai use a lot of this land for trapping. • There isn't much firewood on this land. • People from both McGrath and Nikolai go up the Salmon River and Bear Creek for Salmon in the summertime and traplines during the winter.
71.	A proposed pipeline (Donlin) will go right through the area that the bison Farewell Bison herd occupy.
72.	In relation to pipelines or future corridors, preserve the wildlife and caribou corridors – especially along the Big River. These are important lands for wildlife migration routes. Study where migrations have occurred in the past and consider future migration routes when considering utility corridors. We are concerned about the migration corridors.
73.	Any pipeline corridor will provide access to ATVs and increase our hunting pressure.
74.	There are a lot of Guides that guide in Windy Pass area near the proposed pipeline (Donlin).
75.	Sport Hunting and Fishing that disturb grazing by roaming species and spawning of fish (now all limited) must cease on the Eek River.
76.	Winter hunt ranges are largely diminished due to lack of snow and high cost.
77.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional peoples customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.
78.	The Kilbuck Mountains contain important wildlife resources that should be taken into consideration. They provide important habitat for the Mulchatna Caribou Herd, moose, bear, and wolverine. Caribou in this area are an important subsistence resource.
79.	The upper Kisaralik River, in addition to being one of the most important breeding areas for cliff-nesting raptors on the Refuge, supports one of the densest populations of breeding golden eagles in North America. Recent evidence suggests that golden eagle populations in the Lower 48 are declining, so there is renewed interest in monitoring productivity of the golden eagles in the upper Kisaralik River and adjacent areas.
80.	Wetlands associated with the corridor surrounding the Innoko River, west to the Yukon River from the southern border of the Innoko National Wildlife

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	Refuge south to the Yukon-Kuskokwim Portage Lakes region (including Paimuit and Innoko sloughs), have been shown to be important staging habitat for migratory birds, especially for species of high subsistence value and harvest. Satellite telemetry studies involving cackling geese, greater white-fronted geese, tundra swan, sandhill crane, the Wrangel Island population of lesser snow geese, and the tule subspecies of greater white-fronted geese have all indicated stopover and staging use in this region during fall and/or spring migration periods. Spring locations have indicated periods of prolonged use (greater than a week) suggesting at least some birds may be using this as a final nutrient acquisition area prior to arrival on the nesting grounds. For this reason, we believe this area would qualify as an "Area of Critical Environmental Concern."
81.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
82.	Areas of Critical Environmental Concern - According to BLM, currently there are five ACECs in the BSWI Planning Area. Doyon strongly agrees with BLM that the existing ACECs in the Planning Area should be reviewed as part of this planning process. Since the ACECs were established in the 1980s, significant areas within or adjacent to a number of the ACECs in the Planning Area have been conveyed to Doyon and the State. For instance, Doyon now owns significant land holdings in the areas of the villages of Holy Cross and Grayling. As a result, significant portions of the Southwest Peregrine Falcon Habitat ACECs are no longer in federal land status, and should be removed formally from the ACECs. Other areas within the ACECs may no longer be appropriate for continued designation because of the status of adjacent lands and/or for other reasons. For instance, as BLM has recognized, "An existing ACEC may no longer be valid if the original reason for designation is not as important as it previously was (e.g., protection of past Federally-listed endangered species that are now de-listed)." BSWI RMP Special Designations in the BSWI Planning Area poster, available at https://www.blm.govhml-frontoffice/projects/lup/36665/45391/48945/BSWI Special Designations FINAL.pdf. In this regard, the Peregrine Falcon Nesting Habitats and the Kuskokwim River Area Raptor Nesting Habitats were established under the 1981 Southwest Management Framework Plan after BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat. As a result in the recovery of the peregrine falcon population, the U.S. Fish and Wildlife Service removed the species from the Federal list of threatened and endangered species effective August 25, 1999. Accordingly, there may no longer be valid justification to maintain these ACECs.
83.	Called to express deep concern over migratory bird species and 5 species of salmon that residents rely on for subsistence. Wants to ensure that the BSWI RMP reflects concerns over declining chinook runs and migratory birds. Shared that there is a need for the community to be educated about Land

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	Use Plans and stressed the need for Traditional Ecological Knowledge to be part of BLM's decision-making.
84.	What other plans does this plan coordinate with? US Fish & Wildlife Service for example. How are/will Alaska Natives engaging on this plan process? What wildlife species will there be focus on in this plan?
85.	Red Mountain is very close to the village and is important for berry-picking. We have been going to this place for many, many years. (not sure if on BLM land or not)
86.	Guides and transporters conflict: asked if hunting guides and transporters need a permit to operate on BLM lands. His concern was that they "don't see any more big moose around there. Last year there was only one big moose taken that was bigger than 60 inch spread. Everything else was small." There is hunting pressure from guides who land airplanes on mountain tops and let hunters go down the Anvik River, the Swift River, and the Yellow River, and take only the moose antlers out to Holy Cross. He suggested that there are guides out of Bethel that hunt on BLM lands. The issue of law enforcement was highlighted. Chief Jerue suggested putting limits on guides and transporters. I informed the council that the adjacent Wildlife Refuge has limits on guides and transporters on FWS lands while BLM does not have the same guide concession system. However, BLM is currently studying options of having limits on guides and transporters on BLM lands. Holy Cross Guides have been bringing commercial clients up the Bonasila River where Anvik has traditionally hunted. Usually hunting areas are respected between communities.
87.	Habitat, Vegetation, and Wildlife We understand that the RMP is being developed in part to protect wildlife species and habitat. Therefore, we would expect that beneficial and adverse effects on wildlife species and habitat connectivity would be analyzed. We suggest that the RMP/Draft EIS describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the planning area, identify known fish and wildlife corridors, migration routes, and areas of seasonal fish and wildlife congregation. If fish and wildlife, aquatic, and terrestrial habitats will be significantly impacted because of activities under the proposed RMP, then the RMP/Draft EIS should include mitigation measures to minimize the impacts. Vegetation removal and access roads create obstacles to animals migrating through the area, such as caribou. Cleared areas and roads deter terrestrial animals from crossing due to lack of cover, reduced forage and browsing opportunities for species, changes in wildlife migration patterns, and occasional human activity in these areas. Cleared areas also create edge effects that likely favor several bird and wildlife species. Therefore, the RMP/Draft EIS should discuss: a) Effects on habitat fragmentation and the creation of edge effects favoring some species, including mitigation measures. b) Extent of vegetation removal, whether the removal would occur on steep slopes, in or near riparian areas, and where soil damage was particularly severe due to previous activities. c) How vegetation removal would support retention of vegetation structures that are important for wildlife migration, recruitment and dispersal, rearing and feeding.
88.	Endangered Species Act (ESA) The RMP/Draft EIS should identify any endangered, threatened, and candidate species under ESA, and other sensitive species within the project area. The RMP/Draft EIS should describe the critical habitat for the species; identify any impacts RMP activities will have on the species and their critical habitats; and how the RMP will meet all requirements under ESA, including consultation with the U.S. Fish and Wildlife Service or the National Oceanographic Atmospheric Administration. It may be useful for the RMP/Draft EIS to include summary of the draft biological assessment and a description of the outcome of consultation with the Services. The BLM's actions should promote the recovery of declining populations of species, especially those critical to subsistence.
89.	Cumulative Impacts In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time

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	over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities.
90.	State Management Responsibilities The Alaska Department of Fish and Game (ADF&G) serves as the primary agency responsible for management of fish and wildlife on all lands in Alaska regardless of ownership. Clarification of this role and a commitment to cooperate with BLM in related matters is addressed in the Master Memorandum of Understanding between the BLM and ADF&G. The State requests that the respective roles of ADF&G and BLM be fully recognized in the plan along with a BLM commitment to cooperation in issues that affect each other's responsibilities.
91.	State Management Responsibilities The State requests that the plan and planning process explicitly recognize our fish and wildlife management authorities that overlay BLM's land management responsibilities. We note references in the preliminary planning and scoping documents, which erroneously imply BLM manages wildlife and fisheries populations. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's responsibilities as the manager of fish and wildlife and their populations, with some limited exceptions where Congress has expressly provided that responsibility to the federal government. Regardless, wildlife and fisheries population management are outside the scope of this RMP.
92.	State Planning Efforts For information on State management authorities, and language that can be incorporated into the plan if desired, please see the attached "Select State Tools" document, dated December 2010. This document helps to illuminate some of the many jurisdictional issues that are often overlooked and which may be relevant within the RMP, such as: a) The DNR and ADF&G should both be consulted regarding management of all water bodies within the planning area for issues related to state authorities, including anadromous stream crossings, diversions, public use, placer mining, and dam construction; b) When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the common good of all residents; and c) The Department of Environmental Conservation (DEC) has numerous regulations used to monitor and mitigate impacts to resources within the state, including human waste disposal, air and water quality standards.
93.	State Planning Efforts The planning area includes ADF&G Game Management Units (GMU) 18, 19A, 19B, 19C, 19D, 20C, 21A, 21D, 21E, 22A, and 22D. Information resources developed by ADF&G may prove useful in analyzing fish and wildlife habitat, distribution, and use within the planning area. Documents that may be of assistance include:

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	1) Wildlife Action Plan: http://www.adfg.alaska.gov/index.cfm?adfg=species.wapabout 2) Alaska's Wildlife and Habitat, ADF&G, Jan. 1973. 3) Alaska Habitat Management Guide Series 4) Anadromous Waters Catalog: http://www.sf.adfg.state.ak.us/SARR/FishDistrib/anadcat.cfm These documents and other information on fish and wildlife habitat, distribution, and use for each GMU within this planning area are available at the Anchorage ADF&G office. Please note that the ADF&G no longer maintains a "Species of Special Concern" list.
94.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
95.	Areas of Critical Environmental Concern We request that the plan provide clear information on how Areas of Critical Environmental Concern (ACEC) are designated and their management implemented, including how uses within them may be limited. Few members of the public are familiar with this designation and need to have information presented to them that will allow consideration of their proposed use and the development of comments. The Southwest Planning Area Management Framework Plan (MFP), which encompassed much of the BSWI planning area, included numerous proposals for wildlife habitat management, such as proposed ACECs. ACECs were proposed for peregrine falcon and other raptor nesting areas, brown bear denning and heavy use areas, and for chum salmon habitat. Additional areas were also proposed for Habitat Management Plans, such as priority moose habitat areas, and priority caribou winter range areas. Our understanding is that neither ACECs nor Habitat Management Plan proposals were acted upon through the MFP. If BLM re-evaluates any of these proposals in the BSWI planning process, we request close coordination with ADF&G to ensure consistency with state fish and wildlife objectives.
96.	Fish and Wildlife We request that BLM not reference "population levels" in any of its issues, criteria, or goals/objectives for the RMP because they are

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	outside the RMP's scope. Except for some migratory species, population goals and objectives are the responsibility of the State. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's authority as the manager of fish and wildlife. We recommend use of the term "general hunting" in lieu of the term "sport hunting" in the RMP for consistency with terms used in the state hunting regulations. We also note that Alaska resident hunters may subsistence hunt under state hunting regulations as well as under specific federal regulations. Subsistence hunting encompasses more than hunting under the federal subsistence hunting regulations. When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the maximum benefit of all residents. Any restriction on a particular resource use to protect habitat should require rigorous scientific data to support the decision, including consultation with the appropriate state manager and area residents. Analysis of the decision should consider the extent, level of intensity, frequency of the particular activity, and the impact of the specific disturbance at the population scale of the resource. Any specific action or restriction beyond what can be regulated under the statutory authority of the State should be considered on a case-by-case basis.
97.	Subsistence In relation to this planning process, ADF&G conducted subsistence harvest surveys documenting household harvests of fish and mammals in Anvik, Grayling, McGrath, Nikolai, and Russian Mission in 2011. In 2009, similar surveys were conducted in Aniak, Chauthbaluk, Crooked Creek, Lower Kalskag, Red Devil, Sleetmute, and Stony River. Older, but still relevant subsistence harvest information also is available in the CSIS and TP series for other communities located in the planning area. Of particular importance in this area are potential impacts to authorized uses of moose populations of Game Management Units 18,19, 20C, 21A, 21D, 21E, and 22D; Pacific salmon species; and resident fish such as whitefish and northern pike. Useful information for each community that uses or has used BLM lands for subsistence activities includes: specific geographic areas involved and the extent of use for particular seasonal harvest activities (vs. other lands); species harvested; seasonality of use; and how the area is accessed for subsistence harvest activities. Comparable data probably are not readily available in published sources for all communities, but the ADF&G Division of Subsistence TP series and CSIS are good starting points. In the BSWI Issues to be Considered document, the Public Safety, Social and Economic Features section states "How can the BLM protect resources that are important to maintaining a subsistence lifestyle?", which implies that resources are currently not protected or being damaged. The more appropriate question is, "Are subsistence resources being damaged and is additional protection needed?" This is a resource management concern (Issue #1 not #4).
98.	In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the most commonly expressed issues. 1) The plan must be developed in accordance with the provision of ANILCA. 2) DNR Area Plans establish management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for these areas. 3) The State requests that BLM recognize existing state authorities relative to fish and wildlife management. 4) If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas. 5) State and native selections should be identified in the plan. 6) Reasonable consistency or compatibility in terms of management will minimize user conflicts and confusion. 7) If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access.

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	8) The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple uses. The State appreciates efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible. Thank you for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.
99.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
100.	Climate Change Boreal Forest Health and Habitat Protection Cold-climate ecosystems and health of the Boreal Forest are often not fully understood. The following material taken from Ecotoxicology and Climate, edited by P. Bourdeau, J.A. Haines, W. Klein and C.R. Krishna Murti, published by John Wiley & Sons, Ltd., Effects in Arctic and Subarctic Systems, by Dr. R. Miller provides an excellent explanation of the complexities of the system: The features dominating cold-climate ecosystems are primarily those of low energy fixation and harsh environmental conditions. In terms of energy, the sun is low in the horizon at the best of times, and its radiant energy strikes the earth a 'glancing blow'. In addition, the high albedo of the snow causes a good deal of solar radiation to be immediately reflected. The growing season is short, uniformly small, and productivity is low, ranging from a few per cent to less than half of one per cent of the corresponding crop in a temperate climate. Adaptation mechanisms are abundant; on finds plants growing in rosettes and cushions, storing much more of their energy in roots than their temperate counterparts, developing waxy cuticles, and so forth. Nonetheless, since they have no way to escape or hide from conditions, as hibernating animals can, the plants are generally under extreme stress and the ecosystem has practically no 'resilience' in the ecological sense. The decreased primary production is the fundamental limitation of the cold environment ecosystem. Such animals and birds as choose to live there generally have adaptation mechanisms that are quite effective, as long as the food supply is adequate. Some, like the bear and caribou, develop heavy lipid layers and extremely effective fur to prevent energy loss. Some simply migrate to warmer regions; some small animals live under the snow cover, which is itself rather effective insulation; and some hibernate, thus decreasing their energy requirements sharply.
101.	Climate Change Boreal Forest Health and Habitat Protection Climate change models tell us that boreal forests are in grave danger. It is important to identify significant ecological habitat within the planning area for protection, particularly within river corridors, for fire-suppression management. BLM must carefully manage timber harvesting in the planning area – only allowing subsistence harvests and targeted biomass harvest projects. Further, there is significant caribou habitat within the planning area. Thus, a comprehensive understanding of the cumulative impacts of fire, climate change, landcover and habitat are needed. Such an analysis needs to be based on the best available quantitative data, and should attempt to identify critical thresholds for habitat and caribou populations. We refer the BLM to the Western Arctic Caribou Herd Working Group research and recommendations and Rupp et al. 2002 and 2006 as examples of the types of analysis that can inform the BLM's planning efforts. We encourage BLM to partner with some of the researchers working on such issues in Alaska. For example, Dr. Rupp directs the Scenarios Network for Alaska Planning (SNAP) program at UAF, which can help specify hypothesis regarding fire, climate and vegetation that can be tested in the land management plan. Historically, resource and wildlife managers have been able to plan around known species distributions, derived from long term observations and monitoring. However, it is not clear if these same places will support the same populations as the climate changes. Various studies have shown evidence that climate change could alter the distribution or quality of caribou habitat10 and lead to reduction in lichens used as a winter food source.11 There is also the uncertainty associated with how temperature, precipitation and other climatic variables (e.g., cloudiness, evaporation, wind speed, etc.) will

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	change, and if past or present rates of change are truly precedent for the future.
102.	Climate Change Boreal Forest Health and Habitat Protection Wildlife diversity is critical for healthy systems. Boreal song birds, caribou, moose, bear and other animal populations of the interior know no boundaries of state, federal or private lands. In order to enhance/maintain populations and habitat goals both on BLM and adjacent lands, efforts must be coordinated to prevent undermining ongoing efforts. For example, migration corridors for the Teshekpuk and Western Arctic Caribou herds require close partnerships with stake-holders. According to Alaska Department of Fish and Game's letter to the Alaska Climate Impact Assessment Commission: a) 'Changes in species distribution and behavior may necessitate adjustments of management plans and harvest regulations.' b) 'The effect of climate change on wildfires is of great interest and concern, since over much of Alaska fire is the predominant habitat change agent and since our main big game species are fire adapted in different was. Similarly, we may see a trend where the boreal forest will transition toward grasslands, which would favor a different species mix.' c) 'It will be important to monitor species expanding their ranges into Alaska that could impact hunted species and other wildlife with conservation concerns.' With climate change BLM must also aid in monitoring the health of the system, by aiding in the identification and prevention of invasive species. Climate change will allow a greater number of species to expand their range and potentially out-compete valuable traditional resources and disrupt the balance of Yukon River basin ecosystems. We recommend that the BLM review the Alaska Department of Fish and Game's Comprehensive Wildlife Conservation Strategy, 'Our Wealth Maintained: A Strategy for Conserving Alaska's Diverse Wildlife and Fish Resources' (Attachment B). This document is a resource for prioritizing habitat and wildlife species, and has information which will help better collaborate with ongoing state-based efforts.
103.	Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'
104.	Traditional and Customary Use and Subsistence The impacts of time and space are inadequately weighted in 810 analyses. The current approach trivializes the importance of wildlife habitat and the reliance on the yearly migration and movement patterns of wildlife. What federal and state

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	agencies consider 'short term' impacts – meaning wildlife is only displaced for a single season – can mean yearlong impacts to subsistence users. Displacing wildlife, even for short time periods, could mean traveling farther for harvest or not harvesting at all. The awareness of subsistence practices (locations, timing, and value) is just the beginning of BLM's obligation. Suppression or prohibition of activities in critical areas at vital times will ensure that multiple-uses can co-exist. Habitat is also undervalued in 810 analyses. Reviews of harvest locations and migration patterns are not enough. A higher value must be placed on the large amount of habitat necessary to maintain healthy wildlife populations, which in turn will ensure healthy people. Recommendation: BLM must evaluate these areas for stronger protection to protect subsistence use areas and habitat.
105.	Recommendations for Lands with Wilderness Characteristics: Additional lands should be managed to protect wilderness characteristics in each block. Within the range of alternatives presented, additional lands should be managed to maintain wilderness characteristics in the subunits, as discussed in detail below. BLM has defined "wilderness characteristics" to include naturalness and providing opportunities for solitude or primitive recreation. In making decisions about managing lands with wilderness characteristics in this planning process, BLM should recognize the wide range of values associated with lands with wilderness characteristics: 1) Scenic values – FLPMA specifically identifies "scenic values" as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted. 2) Recreation – FLPMA also identifies "outdoor recreation" as a valuable resource to be inventoried and managed by BLM. 43 U.S.C. § 1711(a). Lands with wilderness characteristics provide opportunities for primitive recreation, such as hiking, camping, hunting and wildlife viewing, which can be severely impacted if the naturalness and solitude of these lands are not preserved. 3) Wildlife habitat and riparian areas – FLPMA acknowledges the value of wildlife habitat found in public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, absence of development activities and corresponding dearth of motorized vehicles, which are integral to wilderness character, also ensure the clean air, clean water and lack of disturbance necessary for productive wildlife habitat and riparian areas (which support both wildlife habitat and human uses of water). Protecting substantial roadless areas in the lands governed by the Bering Sea Western Interior RMP can provide crucial benefits to wildlife, especially to endangered, threatened and sensitive species.
106.	Areas of Critical Environmental Concern Stream monitoring programs if not already taking place, need to be initiated within the planning area. Areas that impacted by historic and current mining activity should be priority areas. 1) Expansion of ACECs a. When evaluating ACEC designations BLM must consider climate change and the integrity of habitat areas. The peregrine falcon was provided habitat protection due to its threatened species listing. These protections have made a difference for this species but should not be removed to allow for mining, oil and gas surface disturbing activities. Due to climate change impacting landscapes and habitat areas, further protection for terrestrial and aquatic species is necessary. Wildlife need connected habitat areas to thrive. An expansion of the ACECs with the purpose to provide a higher degree of protection to caribou calving grounds, migration corridors and wintering

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	grounds should be considered for inclusion in under the ACEC designation. 2) New Nominations for ACEC a. Current ACEC designation is limited and deserves a hard look at other special areas deserving of special protection measures. BLM must take a hard look at essential habitat areas, subsistence use areas and special geologic features in the planning area.
107.	National Wild and Scenic Rivers The current management of the Unalakleet Wild and Scenic River in the planning area is consistent with the original intention of the designation and goals of the National Wild and Scenic Rivers Act. According to the management plan the Unalakleet River was designated as a component of the National Wild and Scenic Rivers System through the ANILCA, by which Congress intended that it be preserved in a free flowing condition, and that the river and its immediate environment be protected for the benefit and enjoyment of the present and future generations. The most important resource stated in the Unalakleet National Wild River Management Plan is the salmon fishery with runs exceeding 100,000 fish. The fishery contains chinook, coho, chum and pink salmon all of which use the river and its tributaries as spawning grounds and supply the subsistence, commercial and sport fisheries. Arctic grayling and arctic char are also plentiful. Wildlife is abundant area with moose in the river valley as a wintering ground, and the brown bears and black bears feed on spawning salmon in the summer. Waterfowl and other birds use the area as a nesting ground and plentiful in the ice free season (Unalakleet National Wild River Management Plan, 1983). Unalakleet River Future Management/Impacts The Unalakleet Wild River needs to be managed so support the wild fisheries. Further, the tributaries not designated under the Wild and Scenic River listing also need to be managed to protect the salmon and varying fish species spawning and essential habitat areas.
108.	Off Highway Vehicle Management Recreational OHV use has had major impacts on the planning area. The scarring damage on vegetation and sensitive tundra needs to be ended and strong preventative measures and enforcement need to be put in place. 'Degraded trails are a significant environmental problem because of their direct effects on vegetation, soils and site hydrology.' There are also associated effects on wildlife and esthetics. (Meyer, 2002) Our organizations recommend the study Managing Degraded Off-Highway Vehicle Trails in Wet, Unstable and Sensitive Environments, from USDA Forest Service written by Kevin G. Meyer. Meyer prescribes many ways to deal with and prevent trail degradation including: location documentation, condition assessment, improvement prescriptions, implementation and maintenance and monitoring. Further, our organizations feel that there is ample access for OHV uses in the planning area. Ongoing management for these areas needs to be improved to prevent the continued abuse of OHV users and maintain a high quality environment for future users.
109.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.
110.	Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor

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	is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: a) Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; b) Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and c) Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
111.	Coal (leasable) Coal is a significant mineral resource in this planning however much of it is not located on BLM managed lands. Only coal resources identified as having development potential as acceptable for further consideration for leasing will be considered for either surface or underground mining operations as stated by BLM. BLM is required to thoroughly evaluate the comprehensive impact of coal exploration and extraction to the planning area including infrastructure needed to support the operation, air quality impacts, water quality, impacts to wildlife life habitats and wildlife. This evaluation does not mean the exploration and development of coal should be considered. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind.15 Any coal exploration, development, prospecting and transportation should be considered in this EIS. The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a coal mining environment like few in the world. Impacts associated with support infrastructure to facilitate the operation persist, and are more difficult to mitigate. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible to reclaim due to slowed vegetation and geologic adaptations. Surface-mining impacts include surface-environment degradation from infrastructure and pit, as well as permafrost thaw, alteration of aquatic ecosystems, and degradation of air quality. Coal mining activities deserve special attention because they can introduce coal dust to the air and water, which is often very fine and contains heavy metals. Degraded air quality from these activities and also from truck and mining equipment emissions can have an adverse impact on human and animal health. The associated indirect impacts of digging up coal include numerous impacts from burning that same coal. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind. Any coal industrial activities will then contribute to global warming, which disproportionally impacts the Arctic. It is essential that these reasonably foreseeable impacts from destroying the landscape to dig up coal will also result in increased mercury transport to Alaska. Burning coal releases mercury into various levels of our ecosystem and atmosphere that can then bioaccumulate in fish, which then pass up the food chain to humans sometimes at toxic levels especially in women. If local communities cannot consume fish, it will be detrimental to their health and culture. The results from mercury contamination must be taken into account in this EIS. Recommendation: 1) BLM fully consider impacts to BLM lands from potential coal projects on neighboring lands 2) BLM prohibits coal exploration and production on BLM lands

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112.	Roads, General Flooding is another major effect of roads on tundra that must be considered. Drainage patterns on flat tundra, such as that found in parts of the proposed project area, can be complex, with many unconnected drainage systems.19 Culverts are difficult to position, and even when positioned properly are often frozen during spring melt.20 The Corps must take into account the environmental impacts of such flooding, as well as other indirect effects from roads such as the introduction of nonnative species. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Crude oil transmission pipelines without roads may not result in increased air traffic as there are federal requirements for monitoring rights of way (biweekly monitoring with aerial monitoring used most commonly, see 49 CRF 195.412(a)). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring, although its effectiveness needs to be evaluated. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. 1) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including a. if technically feasible, the continuous capability to detect a daily discharge equal to not more than one percent of daily throughput; b. flow verification through an accounting method, at least once every 24 hours; and c. for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. 2) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. However, BLM must also address any requirements for gathering lines within oil fields.
113.	Roads, General Given these existing requirements, there does not need to be any additional aerial, visual surveillance of a crude oil transmission pipeline that does not have an associated road. Because 18 AAC 75.055 (b) requires that the flow of oil must be stopped within one hour of discharge detection, shut-down for Arctic crude oil transmission pipelines would be done by remotely-operated valves. However, there may still be increased aircraft overflights related to exploration, construction, and development of oil and gas fields, as well as from supply, crew change and other logistical support and ecological baseline and monitoring studies. Additionally, roads are not necessary for transmission pipeline leak and spill cleanup although the track record for this practice is more limited in the arctic and should be carefully evaluated. Helicopters, and snowmachines and low–ground pressure vehicles can be used in winter for access. The additional Planning Criterion we propose is: The BLM will consider non-road alternatives a priority over road developments to minimize adverse impacts to subsistence and wildlife habitat.
114.	Proposed Pipeline It is estimated that the proposed Donlin Gold mine would require an average load of 157 megawatts. To provide the amount of power required to operate the mine at peak capacity, a 14 inch, 312 mile long buried pipeline to transport natural gas from the Cook Inlet region to the mine site is being considered. This would be an alternative to barging in diesel fuel from Bethel. If the pipeline is included in development, approximately two barges per day would take small amounts of diesel fuel and camp supplies from Bethel to a port site approximately eight miles downriver from Crooked Creek, and would then be transported on a 30 mile access road to the mine site. Many other options to provide power such as coal, hydroelectricity, a power line

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	intertie, biofuel, and even nuclear energy, were considered during the feasibility analysis but did not meet the current needs of the project. This infrastructure and energy requirement for the Donlin Creek Gold mine must be considered in the short and long term impact analysis to BLM lands.
115.	Fish and Wildlife Habitat Considerations Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term (defined as the individual summer season within which the operation is functioning) and local (defined as within 500 foot downstream of the operation). (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002)
116.	Fish and Wildlife Habitat Considerations Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: a) Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; b) Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and c) Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
117.	Mineral Management Goals Recommendations: 1) Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. 2) BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. 3) BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. 4) The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. 5) BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. 6) The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. 7) The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands.

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	8) The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. 9) The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
118.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
119.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts Recommendation: 1) BLM should conduct a comprehensive assessment of the subsistence scenarios of migratory species coming through these planning areas. 2) BLM should evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
120.	Form Letter Master: The Alaska Wilderness League asked our membership and supporters to provide comments and concerns regarding planning in your areas. Specifically, we are asking that no new development is allowed and that mineral withdrawals remain in place. Please consider these comments as you develop the management alternatives for the Bering Sea Western Interior and Central Yukon Planning Areas. The Central Yukon and Bering Sea-Western Interior planning areas include vast populations of wildlife including caribou, moose, wolves, bears, migratory birds and fish. Both

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	Alaska Natives and surrounding communities depend upon the bounty of the lands and waters for their livelihoods as commercial fisherman, and for subsistence, cultural and traditional practices. Yet, development projects including mines, roads and associated infrastructure could pose significant negative impacts on surrounding communities, including water degradation and reduced access to subsistence resources. The Bureau of Land Management should make sure that wildlife and our cultural history are preserved through these planning processes and that each area's existing mineral withdrawals (which currently prohibit mining and oil and gas development within each area) remain in effect, ensuring balance in both of the management plans.
121.	As a retired Alaskan I spend a substantial part of every day trying to protect ecosystems and wildlife inhabitants. It is a discouraging process. Please don't let development trump all.
122.	BLM please protect the fish and wildlife in these areas and their habitat to better support a healthy ecosystem and also our traditional way of life. Thank you.
123.	Dear BLM, Please consider strong protective management for the Central Yukon and Bering Sea Western Interior planning areas. We live in a time of uncertainty for our landscapes and the animals that rely on them. Further, people living in the area depend on the land and animals so as we look into the future of these planning areas a long term conservation strategy will serve our public lands better than a short term mining or oil and gas development investment.
124.	I've spent a lot of time living and visiting these areas so I know what would be lost if development is allowed. Please let's leave it the way it is and has always been, preserve the country for wildlife and cultural history.
125.	This is one of the largest remaining areas in Alaska and in general for the United States. Carefully and thoughtfully managing this is important to all citizens of the United States, not only Alaska. It will impact the earth. Please make sure that our wildlife and our cultural history are preserved through these planning processes.
126.	THE LEGAL FRAMEWORK FOR PLANNING Federal Land Planning Management Act or FLPMA provides the general framework for BLM's land management decisions. FLPMA directs the bureau to manage lands for multiple uses, but one of Congress's goals in promulgating the statute was that public lands would be "managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . ." as well as to "preserve and protect certain public lands in their natural condition" and provide "food and habitat for fish and wildlife." 43 U.S.C. § 1701(a)(8). Section 202 of FLPMA, 43 U.S.C. § 1712, directs the BLM to develop resource management plans and requires that in developing plans, the agency will: • Use and observe the principles of multiple use and sustained yield and recognize that multiple use does not mean all uses in every place; • Use an interdisciplinary approach to integrate physical, biological, economic, and other sciences; • Give priority to designating and protecting areas of critical environmental concern; Rely, to every extent possible, on an inventory of public lands, their resources, and other values; • Consider present and potential uses of public lands; • Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values; • Weigh long-term benefits to the public against short-term benefits; • Provide for compliance with applicable tribal, Federal and State pollution control laws, standards, and implementation plans; and • Coordinate the land use inventory, planning and management activities of public lands with land use planning and management programs of

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	other agencies.
127.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
128.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.

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129.	RANGE OF ALTERNATIVES The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c). NEPA's requirement that alternatives be studied, developed, and described both guides the substance of environmental decision-making and provides evidence that the mandated decision-making process has actually taken place. Informed and meaningful consideration of alternatives, including the no action alternative, is an integral part of the statutory scheme. An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 9This evaluation extends to considering more environmentally protective alternatives and mitigation measures.10 NEPA's requirement for consideration of a range of alternatives is intended to prevent the EIS from becoming "a foreordained formality." Alternatives that must be considered under NEPA are those that would "avoid or minimize" adverse environmental effects. NEPA requires that an actual range of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." 11This requirement prevents the EIS from becoming "a foreordained formality."12 Given the broad purpose of the preparation of the Bering Sea Western Interior plan and the information compiled by the public regarding natural and cultural values of these lands, the range of alternatives for these lands should include a number of alternatives to protect their conservation values. Through management plans, BLM can and should protect natural and cultural values through various management decisions, including by excluding or limiting certain uses of the public lands. See, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of subsistence values, cultural resources, recreation, wildlife, and natural scenic values, and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). The BLM must uphold its responsibility to protect the abundant natural values present in the Bering Sea Western Interior planning area when developing management alternatives in the Bering Sea Western Interior draft Resource Management Plan and evaluating their environmental consequences, as required by both FLPMA and NEPA, 42 U.S.C. § 4321 et seq.
130.	Wildlife Habitat and Riparian Areas FLPMA acknowledges the value of wildlife habitat found on public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, and corresponding dearth of motorized vehicles, and absence of development activities ensure clean air and water. Additionally, the lack of disturbance provides for productive wildlife habitat and riparian areas, which support both wildlife habitat and human uses of water. Further, inventorying lands with wilderness characteristics will also provide important data on existing large blocks of habitat and how BLM can restore these blocks of habitat to better match the historic range of variability. Managing an ecosystem within its range of variability is appropriate to maintain diverse, resilient, productive, and healthy ecosystems for viable populations of native species. Using the historical range of variability is the most scientifically defensible way to meet society's objective of sustaining habitat14.
131.	SUBSISTENCE AND WILDLIFE VIABILITY Given the sizable land management challenges of the coming decades, including federal land management agencies' response to climate change and

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	the complex natural resource dilemmas associated with climate including species adaptation and extreme variability in natural processes, it is imperative that the BLM, the Anchorage Field Office and the upcoming RMP employ effective and efficient science-based planning and analysis methods to support robust and science-based decision-making. The effective application of science to land management planning and decision-making requires three "essential ingredients": • Well-defined, measurable standards (e.g. wildlife population or habitat condition targets), developed via a robust public involvement processes; • The employment of science-based analytical tools to evaluate compliance with the standards (e.g. population viability analysis, or the spatially explicit Decision Support System recommended by the Western Governors' Association); and • Consistent implementation of science-based analysis and decision-making (i.e. dedicated funding for monitoring and science-based adaptive management processes)15. The Anchorage Field Office should consider these essential elements as it moves forward with efforts to respond to the pressing land management challenges of the coming decades in the Bering Sea Western Interior.
132.	Healthy Lands Initiative and Subsistence The adoption of a science-based approach to land use planning is also consistent with the agency's commitments in the Healthy Lands Initiative (HLI). HLI is premised on the BLM's recognition of major changes to the landscape arising from population growth, energy development and climate change. The goal of HLI is "to preserve the diversity and productivity of public and private lands across the landscape." HLI is to be implemented through specific projects, which will "enable and encourage local BLM managers to set priorities across a broader scale and mitigate impacts to an array of resources in ways not previously available to them" and "give managers flexibility to identify lands where a particular resource might be emphasized in order to encourage sustained health and balance across a broader ecosystem or landscape." See, generally, HLI Factsheet at: http://www.blm.gov/pgdata/etc/medialib/blm/wo/Communications_Directorate/public_affairs/healthy_lands_initiative.Par.80058.File.dat/HLI-National_FY09.pdf . Implementation of the management approach described above will further support efforts to address habitat fragmentation, wildlife health and climate change. Recommendation: The Bering Sea Western Interior plan should adopt planning and decision-making processes (including data collection, analysis, and monitoring) that employ measurable planning objectives at multiple biological scales (i.e. fish and wildlife populations, habitat and ecosystem conditions) to ensure viable wildlife populations, protecting subsistence resources.
133.	WILDLIFE CORRIDORS The Bering Sea Western Interior region contains multiple ecosystems that remain ecologically intact and biologically diverse, and are crucial for both regional economies and quality of life. But the balance between natural systems and human use is fragile and increasingly at risk. Proactive management on public lands is a necessary part of sustaining the health of wildlife and wildlands, and of human communities. To take a crucial step forward, the bureau should identify and protect wildlife corridors, especially concerning key subsistence resources, to ensure that usable habitat and migration pathways will remain. The Western Governors Association's Wildlife Corridors Initiative17 defines wildlife corridors as: "Crucial habitats that provide connectivity over different time scales (including seasonal or longer), among areas used by animal and plant species…and serve to maintain or increase essential genetic and demographic connection of populations" (emphasis added). Reduction in habitat connectivity through increased fragmentation, due to resource development, roads, residential and commercial development, and energy development, and off-road vehicles, substantially decreases the amount of ecologically intact core habitat available for many wildlife species. Ecologists have long recognized

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	that the loss of core habitat and habitat connectivity pose the greatest threats to species persistence and overall biodiversity. 18 Through resource management plans, BLM plans for the management of its lands at the landscape level, which gives the agency the ability to designate and protect naturally-occurring wildlife corridors. The BLM has the legal authority to implement protective management of wildlife corridors, and also the legal obligation to address threats to wildlife and wildlife habitat as stewards of the western public lands. Protecting wildlife corridors through administrative designations, like ACECs, is consistent with the BLM's obligations under the Federal Land Policy and Management Act (FLPMA), 42 U.S.C. § 1701, et seq., and National Environmental Policy Act (NEPA), 42 U.S.C. § 4321, et seq. In the Pinedale Record of Decision and RMP, the BLM specifically established an administrative designation to protect an important wildlife corridor as an ACEC. The BLM created the Trapper's Point ACEC with the specific goal to "preserve the viability of the big game migration bottleneck, cultural and historic resources, and important livestock trailing use." Pinedale ROD/RMP, 2008, p. 2-56, available on-line at: http://www.blm.gov/pgdata/etc/medialib/blm/wy/programs/planning/rmps/pinedale/rod.Par.45058.File.dat/05_Record_of_Decision_and_Approved_Pinedale_RMP.pdf .
134.	WILDLIFE CORRIDORS Recommendation: To appropriately identify and protect wildlife corridors within the Bering Sea Western Interior planning area, BLM should: 1) Collaborate with other state and federal agencies and non-governmental groups such as the Alaska Natural Heritage Program to obtain current data regarding crucial wildlife habitat and corridors; 2) Connect already-designated wilderness areas and other refuge areas to ensure that wildlife populations have the ability to easily move between large areas of protected crucial habitat; 3) Identify species that serve as focal species for identifying important wildlife corridors and will also act as indicators for how well the wildlife corridors are working; 4) Ensure that all administrative designations include specific provisions regarding management so that identified wildlife corridors are protected and can function as designed; and 5) Monitor the effectiveness of identified wildlife corridors and implement adaptive ecosystem management strategies.
135.	Migration Routes & Wintering Habitat Primary wildlife migration routes should be determined for the following caribou herds found in the Bering Sea Western Interior, at a minimum, and consideration should be given for protections of those routes: • Western Arctic Caribou Herd; • Beaver Mountains Caribou Herd; • Sunshine Mountains Caribou Herd; • Farewell-Big River Caribou Herd; • Mulchatna Caribou Herd; • Nushugak Peninsula Caribou Herd; • Nelchina Caribou Herd; and • Denali Caribou Herd Wintering habitat for moose populations important for subsistence should be identified and incorporated into the Resource Management Plan.

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	Recommendation: Protections should be considered in the Bering Sea Western Interior RMP for caribou migration and moose wintering habitat.
136.	AREAS OF CRITICAL ENVIRONMENTAL CONCERN In addition, the bureau's manual directs that, for ACECs proposed in at least one alternative, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). BLM should include specific management prescriptions for each ACEC that will protect the highlighted values, such as mineral withdrawal or route designations. Id. and Section .33.C (Provision for Special Management Attention). Setting out more real protections and detailed management prescriptions in the RMP will ensure security of the ACEC values. There are five existing Areas of Critical Environmental Concern in the Bering Sea Western Interior planning area. They are: 1) North River ACEC – important landscape values supporting salmon and sheefish spawning and rearing habitat; 2) Unalakleet River ACEC - important landscape values supporting salmon and sheefish spawning and rearing habitat; 3) Anvik River ACEC – spawning habitat for the largest population of chum salmon in the Yukon River system and large populations of trophy-class grizzly/brown bears; 4) Peregrine Falcon Nesting Habitat – several Peregrine Falcon Nesting ACECs are currently in place. 5) Kuskokwim River Area Raptor Nesting Habitats – Important nesting habitat for bald eagles, golden eagles, osprey and gyrfalcons (all raptors). Recommendation: We recommend the bureau retain all existing ACECs in the Bering Sea Western Interior planning area and expand and improve management prescriptions to protect these important places. We recommend establishment of new ACECs to protect anadromous fish and caribou habitat. The Bering Sea Western Interior plan must evaluate a range of alternatives including ACEC designations to protect sensitive and important resources in the planning area. The RMP should establish robust management prescriptions to ensure real protection for the resources which ACECs are designated to protect. Pew will submit additional information to BLM between now and the release of the draft RMP to nominate additional specific areas for protection.
137.	Public Land Orders & Mining Recommendation: We recommend modification of Public Land Order 5180 to disallow metalliferous mineral entry for all lands currently governed by thereunder, paralleling the protections provided by PLO 5184. Further, the RMP should take a precautionary approach, and provide PLO 5184 protections for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development; • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, and SRMAs ; • Lands within ½ mile of anadromous rivers and streams; • Primary fish spawning habitat; • Community drinking water aquifers; and • All lands subject to PLO 5180.
138.	There is a long history of the uncommon value relative to the outstanding wildland habitats, view-sheds and the incredible wildlife populations within this region. Large industry developments should not jeopardize these exceptional natural attributes and this EIS has to provide true base line protection for these outstanding natural characteristics. These incredible wildlife populations and their given habitats have long provided great benefit to subsistence hunters, resident hunters, professional guides, photographers, eco-tourism and many related aspects of each to the local people and communities affected by this proposed development, not only in food but in important and longtime sustainable economy as well. This planning

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	process must therefore work to protect these ways of life. This way of life has required a deeply seated conservation basis for viability and sustainability which could be lost by large industrial developments within this region. It is not right to have to forfeit one way of life for another. The EIS must work to truly protect these long term and sustainable businesses and the people who have had the entrepreneurship spirit to develop and manage them. With prudent wildlife and industry stewardship which are sustainable, the professional guide industry, which has existed for over seventy years prior to can easily be sustained for centuries. The EIS should work to protect this provision for Alaska and the people the world over who want to see, enjoy and experience true wilderness and a true wilderness hunting experience. Therefore, it is very important to build the impact of large industry to allow for both. In my opinion, the EIS scoping if truly done properly can provide for both. The compromise of our way of life or industry for another does not need to happen for all to have the conservation basis needed for successful long term sustainability. The EIS process can help provide for both by carefully exploring the former comments and those that follow here.
139.	Regarding the professional hunting guide and hunter transport industries and their future relative to this EIS scoping: It is vitally important to the sustainability of these industries that they are provided within a sound conservation basis. This basis should be fully explored and steered to within the EIS process. The hunt transporter industry has no conservation basis sideboards built into its regulatory or statutory oversight. Therefore, any opportune wildlife populations are at risk of exploitation by this industry. When combined with the high cost of fuel relative to this industry, operators naturally focus on wildlife populations which are available near communities. Residents of the same communities who are dependent upon subsistence hunting opportunities often find their way of life marginalized by this commercial activity. Substantial conflict then occurs. Alaska is full of examples of this problem. The EIS should define a process which creates opportunity for this industry to operate within a stewardship basis provided by the service providers. Transporter services should be awarded the opportunity to access lands within the BSWI based upon proven or proposed respect for the lands, resources and ways of life they will be impacting. Alaska's professional hunting guide and outfitter industry has been an integral part of State history by providing professional escort to the many visiting hunters from around the world who choose to hunt in Alaska. Wilderness and wildlife within the BSWI are well known worldwide as a premier hunting designation. Alaska's extreme climate, terrain, vast wilderness, waterways, certain big game animals and logistical challenges pose serious levels of challenge and danger to visiting sportsmen and women who are often not prepared for these concerns. Thus, the professional guide and outfitter industry provides and will continue to provide a very necessary service. This industry, which is dependent upon sustainable and renewable resources supports a substantial and historical economy for Alaska. Rural Alaskan's in particular, which have lifestyles that compare with the inherent challenges and oversight of pursuit, harvest and care of game, have been a significant part of this industry. As there is currently no effective manner to limit the amount of guided or transported hunt activity that can take place on BLM lands the Alaska Board of Game has had a serious burden presented to them regarding protecting wildlife populations from over harvest. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to protect wildlife within the region. There is currently less than favorable social conditions related to subsistence hunting within many BSWI communities due to over commercialism of guided sport hunting activity in near proximities. The BSWI EIS Scoping should recommend development of a stewardship based guide concession program to protect the subsistence way of life.
140.	With the existing circumstances of land use authorization for guides on BLM lands, the client/consumer does not have any level of protection from encountering multiple guides and clients in the field all competing for the same resource as well as interfering with quality of wilderness experience which is an important part of guided hunting in Alaska. The BSWI EIS Scoping should recommend development of a stewardship based guide concession program to protect the consumer. It is very hard for the Alaska Board of Game to develop allocation programs that limit guided or transported hunter

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	effort in a manner that will protect the guide or transporter industry service provide, who strives to be a good steward of the wildlife resources, the consumer and the industry. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to protect industry service providers who make every effort to be good stewards of their industry. As there is no current effective manner to limit the number of hunting guides or big game transporters that can operate on any certain piece of BLM lands within the BSWI, and there has not been for many years, it makes enforcement of existing BLM, Wildlife Conservation, or Big Game Commercial Services Board regulations hard to enforce as there are limited mechanisms in place to keep track of which guides or transporters are operating where and when. Limited enforcement staff and extremely large regions allow for heightened abuse opportunity for guide and transporter service providers that seek to operate outside the bounds of existing law and respectful industry stewardship. An area system defining who is authorized in certain locations would allow BLM and the Alaska Wildlife Troopers a much better opportunity to enforce wildlife conservation and industry law as well as provide better public safety and industry oversight. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to provide better law enforcement.
141.	BLM should prioritize the long term health and maintenance of the WACH and the habitats upon which it depends within the Planning Area to ensure the health of the herd and subsistence opportunities for the communities of northwestern Alaska. With the herd currently in decline, habitat conservation in the next decade will help promote resiliency of the herd. Conservation of caribou habitat can accomplished by: a) Prohibiting industrial activities, including mining, in the core seasonal habitats (Figure 2). b) Avoiding disturbance to caribou as they engage in their annual seasonal movement and avoid fragmentation of their range (Figure 3), including minimizing impacts from industrial activities and transportation, recreational users and other forms of non-subsistence development and travel. c) Identifying and recommending permanent, administrative (e.g. ACEC) or seasonal protection measures needed for important habitats and subsistence use areas for lands with the planning area. d) Prohibiting dust-control treatments (e.g. chemicals) that may be harmful to caribou, their habitat and people on roads through BLM managed lands.
142.	The RMP should consider how climate change is affecting the health and habitat of caribou and include research goals and adaptive management actions that will help ensure future sustainability of the herd in the face of climate change. a) The RMP should support research efforts that foster a greater understanding of caribou habitat and habitat change, including research in adjacent to the herd range that may reflect current or future WACH range conditions. b) The cumulative effects of climate change and the resource development projects proposed for all lands within the boundary of the planning area need to be carefully and quantitatively analyzed for their impacts to caribou and subsistence use of caribou.
143.	Recognizing that fire is a normal part of the ecology of the arctic ecosystem and is important for maintaining a diverse landscape, the RMP should include provisions to evaluate the effects of fire on caribou habitat and identify a suite of fire management strategies that BLM and adjacent landowners can adopt. Actions identified in the RMP should include: a) Ensuring the fire-retardants used to suppress fire do not have harmful effects on the ecosystem, as these effects can concentrate in the caribou through grazing and drinking affected water. b) Managing for various-aged lichen stands in caribou winter range, recognizing the importance of old growth lichen ranges.

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	c) Regularly reviewing and evaluating agency fire management plans and fire management options to ensure they reflect the best interest of the Western Arctic herd. d) Working at a landscape level with other land managers to allow caribou the ability to shift their seasonal ranges in response to environmental variability.
144.	As for the Georgetown area, it is important that our tribal lands remain intact so that our current and future members will have a place to call home. The traditional fishing and hunting grounds around Georgetown are of great importance to our people and any decisions made need to consider and protect those locations (Brown, pg 99). The George River not only provides hunting and fishing opportunities to those in the region, but it also allows the local population to access ancestral grounds that go back hundreds of years.
145.	<u>B. Impacts to federally-protected subsistence users;</u> The BSWI RMP and associated EIS must take into consideration impacts to federally-protected subsistence users. Chinook and chum salmon are a vital subsistence resource for rural residents throughout the Yukon River. Without subsistence salmon to feed people and the sled dogs which are an integral part of the subsistence lifestyle on the Yukon, existence in these remote villages would be difficult, if not impossible. Salmon are of irreplaceable value to the cultural, spiritual, and nutritional needs of the Native people of the Bearing Sea and Western Interior Alaska region. Subsistence salmon literally serve as the "grocery store" for village residents, and also serve vital cultural purposes. In communities where other subsistence resources such as moose and caribou have decreased, the value of salmon as the only subsistence resource is even greater. Under the Alaska National Interest Lands Conservation Act (ANILCA),1 federally-qualified subsistence uses have priority over other fish and wildlife needs in-river. Impacts to subsistence users should be analyzed on a Yukon River watershed-wide basis, as any impacts to the salmon in the Bearing Sea-Western Interior regions will be felt throughout the watershed given the anadromous nature of the fish. The result of management actions on the availability of and access to subsistence resources should be considered. Because the Chinook salmon runs are not strong enough to support subsistence needs, particular concern should be given to protecting these stocks in the BSWI RMP.
146.	These scoping comments are submitted on behalf of Earthworks, a national conservation organization, with 500 Alaska members. Our mission is to protect communities and the environment against the adverse impacts of hardrock mining. The Bering Sea-Western Interior planning area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and all lands west of Denali National Park and Preserve to the Bering Sea, including Saint Lawrence, Saint Matthew and Nunivak islands. We urge the BLM to prioritize land management policies that support watershed health, subsistence use, and sustain fish and wildlife habitat in the planning process. Our scoping comments pertain to maintaining the majority of the current management for most of the lands in the Bering Sea Western Interior planning area. We also encourage the BLM to develop criteria and standards for mineral development to address the increased risks associated with the extreme weather conditions and climate change that are particularly significant in this northern region. More detailed comments are specified below.
147.	<u>Issue A(3) Mineral Development</u> A substantial portion of the Planning Area is subject to the mandate of ANCSA 17(d)(1), 43 U.S.C. §1616(d)(1). If the d(1) mineral withdrawals are lifted, these BLM lands will be governed by the 1872 General Mining Act. This federal law, which was enacted 140 years ago to help "settle the west," continues to govern mining activities on federal lands today. The General Mining Law of 1872 (17 Stat. 91; 30 U.S.C. § 21 et seq.) grants a statutory right to enter upon public lands to prospect, explore, develop, mine, or process mineral resources. Furthermore, the law allows a claimant to stake an indefinite number of mining claims, and those claims can be held indefinitely. The 1872 General Mining Act prioritizes mining over

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	all other land uses, including subsistence, wildlife habitat, recreation, and fisheries. Under current interpretation of the law, mining is considered the "highest and best use" of federal lands, and federal land managers must approve any reasonable plan of operations, regardless of conflicts with other uses.1 Hardrock mining can have significant adverse impacts on subsistence use, fish and wildlife habitat, water quality, and other important land uses. According to the Toxic Release Inventory, compiled by the U.S. Environmental Protection Agency, hardrock mining is the largest source of toxic pollution in the United States.2 The impacts of hardrock mining to fish, and the inadequacies of the 1872 Mining Law to protect aquatic resources, are documented in a 2010 scientific article in Fisheries.3 Impacts to water quality from modern hardrock mines are also documented in a 2006 study, which compared water quality predictions during the permitting process with water quality impacts after mining commenced. It found that: a) 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). b) 76 percent of mines studied in detail exceeded water quality standards due to mining activity. c) Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail.
148.	Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orangecolored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities.

8.2.7 Issue 7: Special Status Species – Flora and Fauna

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1.	Three-step Mountain (on Fish & Wildlife Service lands) has some caribou
2.	The raptor nesting habitat ACEC is in the wrong place on the map, there aren't even any cliffs there. We can show you where raptors nest on the map, but not if it means people will come disturb the nests when they shouldn't. When a past study was done the biologists approached the nests, even when we told them not to, and the adults abandoned the nests. Again, don't fix something that isn't broken.
3.	We don't see as many falcons anymore but they may come back, just like ducks – numbers go up and down. Should keep the Falcon ACEC in case they come back. They also said that the locations of the Falcon ACECs are identified correctly on the map.
4.	There is a peregrine nesting site on the beach across the river at Holy Cross. Peregrine numbers fluctuate, like duck and geese. They do well on their own.
5.	Areas of Critical Environmental Concern - According to BLM, currently there are five ACECs in the BSWI Planning Area. Doyon strongly agrees with BLM that the existing ACECs in the Planning Area should be reviewed as part of this planning process. Since the ACECs were established in the 1980s, significant areas within or adjacent to a number of the ACECs in the Planning Area have been conveyed to Doyon and the State. For instance, Doyon now owns significant land holdings in the areas of the villages of Holy Cross and Grayling. As a result, significant portions of the Southwest Peregrine Falcon Habitat ACECs are no longer in federal land status, and should be removed formally from the ACECs. Other areas within the ACECs may no longer be appropriate for continued designation because of the status of adjacent lands and/or for other reasons. For instance, as BLM has recognized, "An existing ACEC may no longer be valid if the original reason for designation is not as important as it previously was (e.g., protection of past Federally-listed endangered species that are now de-listed)." BSWI RMP Special Designations in the BSWI Planning Area poster, available at https://www.blm.govhml-frontoffice/ projects/lup/36665/45391 /48945/BSWI Special Designations FINAL.pdf. In this regard, the Peregrine Falcon Nesting Habitats and the Kuskokwim River Area Raptor Nesting Habitats were established under the 1981 Southwest Management Framework Plan after BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat. As a result in the recovery of the peregrine falcon population, the U.S. Fish and Wildlife Service removed the species from the Federal list of threatened and endangered species effective August 25, 1999. Accordingly, there may no longer be valid justification to maintain these ACECs.
6.	Noxious Weeds and Rare Plants Following vegetation removal, invasive species can also aggressively spread into newly cleared or filled areas. The status of noxious weed projects within the planning area should be described and weed monitoring and control features identified. The RMP/Draft EIS should contain measures that are consistent with Executive Order 13112 on Invasive Species. We suggest including a description of current conditions and Best Management Practices (BMPs) that will be utilized to reduce the likelihood of introduction and spread of invasive species with the proposed management activities. If there are infestations of aquatic invasive plants (floating or submerged in water) in the planning area, the RMP/Draft EIS should include information about such infestations and how they would be managed to prevent further deterioration of water quality within on the planning area. The EPA supports integrated weed management, which would include a mix of control measures, such as cultural, biological, mechanical and chemical techniques. If activities under the RMP may impact native or rare plants, the RMP/Draft EIS should include general locations of rare plants and how these sites will be managed to minimize impacts on the plants.
7.	Endangered Species Act (ESA) The RMP/Draft EIS should identify any endangered, threatened, and candidate species under ESA, and other sensitive

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	species within the project area. The RMP/Draft EIS should describe the critical habitat for the species; identify any impacts RMP activities will have on the species and their critical habitats; and how the RMP will meet all requirements under ESA, including consultation with the U.S. Fish and Wildlife Service or the National Oceanographic Atmospheric Administration. It may be useful for the RMP/Draft EIS to include summary of the draft biological assessment and a description of the outcome of consultation with the Services. The BLM's actions should promote the recovery of declining populations of species, especially those critical to subsistence.
8.	Cumulative Impacts In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities.
9.	State Management Responsibilities The Alaska Department of Fish and Game (ADF&G) serves as the primary agency responsible for management of fish and wildlife on all lands in Alaska regardless of ownership. Clarification of this role and a commitment to cooperate with BLM in related matters is addressed in the Master Memorandum of Understanding between the BLM and ADF&G. The State requests that the respective roles of ADF&G and BLM be fully recognized in the plan along with a BLM commitment to cooperation in issues that affect each other's responsibilities.
10.	State Management Responsibilities The State requests that the plan and planning process explicitly recognize our fish and wildlife management authorities that overlay BLM's land management responsibilities. We note references in the preliminary planning and scoping documents, which erroneously imply BLM manages wildlife and fisheries populations. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's responsibilities as the manager of fish and wildlife and their populations, with some limited exceptions where Congress has expressly provided that responsibility to the federal government. Regardless, wildlife and fisheries population management are outside the scope of this RMP.
11.	State Planning Efforts For information on State management authorities, and language that can be incorporated into the plan if desired, please see the attached "Select State Tools" document, dated December 2010. This document helps to illuminate some of the many jurisdictional issues that are often overlooked and which may be relevant within the RMP, such as: a) The DNR and ADF&G should both be consulted regarding management of all water bodies within the planning area for issues related to state authorities, including anadromous stream crossings, diversions, public use, placer mining, and dam construction; b) When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the

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	State for the common good of all residents; and c) The Department of Environmental Conservation (DEC) has numerous regulations used to monitor and mitigate impacts to resources within the state, including human waste disposal, air and water quality standards.
12.	State Planning Efforts The planning area includes ADF&G Game Management Units (GMU) 18, 19A, 19B, 19C, 19D, 20C, 21A, 21D, 21E, 22A, and 22D. Information resources developed by ADF&G may prove useful in analyzing fish and wildlife habitat, distribution, and use within the planning area. Documents that may be of assistance include: • Wildlife Action Plan: http://www.adfg.alaska.gov/index.cfm?adfg=species.wapabout • Alaska's Wildlife and Habitat, ADF&G, Jan. 1973. • Alaska Habitat Management Guide Series • Anadromous Waters Catalog: http://www.sf.adfg.state.ak.us/SARR/FishDistrib/anadcat.cfm These documents and other information on fish and wildlife habitat, distribution, and use for each GMU within this planning area are available at the Anchorage ADF&G office. Please note that the ADF&G no longer maintains a "Species of Special Concern" list.
13.	Areas of Critical Environmental Concern We request that the plan provide clear information on how Areas of Critical Environmental Concern (ACEC) are designated and their management implemented, including how uses within them may be limited. Few members of the public are familiar with this designation and need to have information presented to them that will allow consideration of their proposed use and the development of comments. The Southwest Planning Area Management Framework Plan (MFP), which encompassed much of the BSWI planning area, included numerous proposals for wildlife habitat management, such as proposed ACECs. ACECs were proposed for peregrine falcon and other raptor nesting areas, brown bear denning and heavy use areas, and for chum salmon habitat. Additional areas were also proposed for Habitat Management Plans, such as priority moose habitat areas, and priority caribou winter range areas. Our understanding is that neither ACECs nor Habitat Management Plan proposals were acted upon through the MFP. If BLM re-evaluates any of these proposals in the BSWI planning process, we request close coordination with ADF&G to ensure consistency with state fish and wildlife objectives.
14.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
15.	WILDLIFE CORRIDORS The Bering Sea Western Interior region contains multiple ecosystems that remain ecologically intact and biologically diverse, and are crucial for both regional economies and quality of life. But the balance between natural systems and human use is fragile and increasingly at risk. Proactive management on public lands is a necessary part of sustaining the health of wildlife and wildlands, and of human communities. To take a crucial step forward, the bureau should identify and protect wildlife corridors, especially concerning key subsistence resources, to ensure that usable habitat and migration pathways will remain. The Western Governors Association's Wildlife Corridors Initiative17 defines wildlife corridors as: "Crucial habitats that provide connectivity over different time scales (including seasonal or longer), among areas used by animal and plant species…and serve to maintain or increase essential genetic and demographic connection of populations" (emphasis added). Reduction in habitat connectivity through increased fragmentation, due to resource development, roads, residential and commercial development, and

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	energy development, and off-road vehicles, substantially decreases the amount of ecologically intact core habitat available for many wildlife species. Ecologists have long recognized that the loss of core habitat and habitat connectivity pose the greatest threats to species persistence and overall biodiversity. 18 Through resource management plans, BLM plans for the management of its lands at the landscape level, which gives the agency the ability to designate and protect naturally-occurring wildlife corridors. The BLM has the legal authority to implement protective management of wildlife corridors, and also the legal obligation to address threats to wildlife and wildlife habitat as stewards of the western public lands. Protecting wildlife corridors through administrative designations, like ACECs, is consistent with the BLM's obligations under the Federal Land Policy and Management Act (FLPMA), 42 U.S.C. § 1701, et seq., and National Environmental Policy Act (NEPA), 42 U.S.C. § 4321, et seq. In the Pinedale Record of Decision and RMP, the BLM specifically established an administrative designation to protect an important wildlife corridor as an ACEC. The BLM created the Trapper's Point ACEC with the specific goal to "preserve the viability of the big game migration bottleneck, cultural and historic resources, and important livestock trailing use." Pinedale ROD/RMP, 2008, p. 2-56, available on-line at: http://www.blm.gov/pgdata/etc/medialib/blm/wy/programs/planning/rmps/pinedale/rod.Par.45058.File.dat/05_Record_of_Decision_and_Approved_Pinedale_RMP.pdf .
16.	AREAS OF CRITICAL ENVIRONMENTAL CONCERN In addition, the bureau's manual directs that, for ACECs proposed in at least one alternative, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). BLM should include specific management prescriptions for each ACEC that will protect the highlighted values, such as mineral withdrawal or route designations. Id. and Section .33.C (Provision for Special Management Attention). Setting out more real protections and detailed management prescriptions in the RMP will ensure security of the ACEC values. There are five existing Areas of Critical Environmental Concern in the Bering Sea Western Interior planning area. They are: 1) North River ACEC – important landscape values supporting salmon and sheefish spawning and rearing habitat; 2) Unalakleet River ACEC - important landscape values supporting salmon and sheefish spawning and rearing habitat; 3) Anvik River ACEC – spawning habitat for the largest population of chum salmon in the Yukon River system and large populations of trophy-class grizzly/brown bears; 4) Peregrine Falcon Nesting Habitat – several Peregrine Falcon Nesting ACECs are currently in place. 5) Kuskokwim River Area Raptor Nesting Habitats – Important nesting habitat for bald eagles, golden eagles, osprey and gyrfalcons (all raptors). Recommendation: We recommend the bureau retain all existing ACECs in the Bering Sea Western Interior planning area and expand and improve management prescriptions to protect these important places. We recommend establishment of new ACECs to protect anadromous fish and caribou habitat. The Bering Sea Western Interior plan must evaluate a range of alternatives including ACEC designations to protect sensitive and important resources in the planning area. The RMP should establish robust management prescriptions to ensure real protection for the resources which ACECs are designated to protect. Pew will submit additional information to BLM between now and the release of the draft RMP to nominate additional specific areas for protection.
17.	ACEC Recommendations: The RMP should identify key habitat for rare and imperiled species in the field office, and create Areas of Critical Environmental Concern to protect their critical habitat. Consideration should be given to ACEC designation on BLM land adjacent to anadromous streams in the planning area to protect the Kuskokwim and Yukon River drainages as they intersect with BLM land. Such ACEC protections on the BLM land adjacent to the Kuskokwim and Yukon Rivers and their tributaries could help king salmon runs as this declining population trend over time is of a

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	serious conservation concern. Areas of Critical Environmental Concern should be established to provide real protections for near-shore rearing habitat for fingerling and smolt. Given the importance of subsistence resource to the region, Areas of Critical Environmental Concern should be established to protect anadromous fish habitat, as well as caribou calving, wintering, foraging and migration habitat. Pew will submit additional information to BLM between now and the release of the draft RMP to nominate specific areas for protection.
18.	SPECIAL STATUS SPECIES The BLM's goal should be to maintain and increase populations of all threatened and endangered species and other rare and imperiled species within the Bering Sea Western Interior. The bureau should develop a comprehensive suite of management prescriptions for each special status, threatened and endangered species or rare and imperiled species within the field office, and should ensure that such prescriptions are consistent with the goal of maintaining and increasing populations for these species. There should be areas of key habitat for each species within the field office, where the management emphasis is on protecting the species, and where any uses inconsistent with this goal are prohibited. Recommendation: BLM should incorporate the science and management recommendations in USFWS draft raptor guidelines and rare plant Best Management Practices in managing rare plants and raptors.

8.2.8 Issue 8: Wildland Fire Ecology and Management

Appendix B Table 8 Issue 8 Wildland Fire Ecology and Management	
1.	No major fire in a long time, has resulted in even-aged stands
2.	Concerns were raised about air quality with local wildfires if they are managed to let the fire burn. A past fire was not suppressed and the community air quality was really bad.
3.	One of the concerns for fire management in the southwest portion of the State of Alaska (where the BSWI lands are) is that known sites work (the identification of values at risk for wildland fire) needs to be completed and /or updated on BLM lands.
4.	Strategic decisions concerning wildfire management on the three refuges in this area (Yukon Delta, Innoko, and Togiak) may be influenced by the location of values at risk on nearby BLM lands. The values currently listed in the Statewide Known Sites database (http://fire.ak.blm.gov) have been identified by Alaska State Forestry and need to be validated by BLM.
5.	Wildland Fire Management Fire management in the BLM Anchorage District has become confusing and inconsistent in the past several years. Many of the duties of the former Anchorage District have been delegated to the Alaska Fire Service (AFS). Fire response planning levels on many of the BLM lands involved in the BSWI planning area were set in the initial interagency planning process thirty years ago and have not been formally reviewed since. The planning areas include the Tanana Minchumina Plan (1982), Kuskokwim Iliamna Plan (1983), and Yukon Togiak Plan (1984). The State requests the BSWI RMP include a review of current fire protection levels on BLM land to determine if they are still applicable, or in need of change. To date there has been a lack of consistency on the use of fire retardant on BLM lands in Southwest area of the state. We are very concerned with, and oppose, any policy that may uniformly prohibit the use of aerial fire retardant during the 'initial attack' of fires on BLM land as it is an issue of firefighter safety. Due to the very remote nature of these lands, we may put people on the ground without the ability to recover them quickly. The use of fire retardant in the initial attack of a fire allows us to secure a 'safety area' in which firefighters may take refuge if changing fire behavior warrants. We request that use of aerial fire retardant on BLM lands be addressed in the BSWI RMP. In the Alaska Master Cooperative Wildland Fire Management and Stafford Act Response Agreement, land managers (jurisdictional agencies) are required to develop and maintain 'Known Sites' databases to assist in the fire management process. This known sites database identifies sites as well as their protection status. BLM's Alaska Wildland Fire Structure Protection Policy is covered in IM AK 2007-033 (attached). Will an updated 'known sites' database be a product of the BSWI RMP? In reading the posted public comment from community meetings conducted for the BSWI RMP, most seemed to be concerned with traditional use for subsistence on BLM land, or having access to cross BLM land for access of these traditional use areas. The State recommends that BLM update the 'known sites' database to include sites associated with these activities such as 'trap' or shelter cabins. The State is concerned that managing for lands with wilderness characteristics on BLM lands in the BSWI may impact fire management plans or fire suppression activities such as the use of chainsaws or helicopters. BLM should also consider invasive species management and mitigation that may affect fire suppression activities. The BSWI RMP should acknowledge the important ecological role of wildfire in maintaining wildlife habitat. In addition, through multi-agency cooperation, the BSWI RMP should promote the use of appropriate fuel and vegetation treatments for large areas or stands of decadent timber/shrub that will reestablish early seral stages of habitat.

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6.	Climate Change Boreal Forest Health and Habitat Protection The Boreal Forest ecosystem health benefits extend well beyond the arctic regions. As noted by the BLM in 2008 within the Bering Sea Western Interior Preparation Plan, the boreal forest (Tayga) is the biggest terrestrial ecosystem in the world. BLM goes on to say that like the Amazon, the boreal forest is critical to sustaining a healthy global environment. The boreal forest is often referred to as the "lungs of the planet," and has a daily rhythm of taking in carbon dioxide and expelling oxygen. In addition to generating oxygen, this process makes the boreal forest a store house for carbon dioxide. Its trees and peat lands comprise one of the world's largest carbon reservoirs as it takes in more carbon dioxide that it releases. In addition to global oxygen generation and carbon retention, the boreal forest ecosystem is a green belt of conifer and deciduous trees that acts as part of the largest source and filter of fresh water on the planet. The lack of access to fresh water is increasing becoming an issue of environmental concern throughout the world. Forty percent of the nations' fresh water resource, as opposed to clean water within the meaning of the Clean Water Act, is in Alaska. Juday et al. (1998) outlines the potential effects of climate change on boreal forests in Alaska. Of particular importance to the Bering Sea Western Interior Planning Area would be: 1) decreases in moisture sufficient for forest growth; 2) continued or expanded tree mortality from insect outbreaks; 3) fire intensity and frequency; 4) spruce reproduction; and 5) changes in habitat associated with permafrost thawing. How will the BLM address these issues and impacts during the next management cycle and how is the BLM looking beyond the next 15 years to anticipate changes in key wildlife and habitat resources to help them adapt to rapidly changing conditions? We recommend the initiation or continued monitoring of daily and seasonal weather patterns, including but not limited to max/min/mean daily temperatures, growing degree days and frost-free season length as important parameters for understanding changes in forest ecology that need to be incorporated into management decisions.
7.	Climate Change Boreal Forest Health and Habitat Protection Climate change models tell us that boreal forests are in grave danger. It is important to identify significant ecological habitat within the planning area for protection, particularly within river corridors, for fire-suppression management. BLM must carefully manage timber harvesting in the planning area – only allowing subsistence harvests and targeted biomass harvest projects. Further, there is significant caribou habitat within the planning area. Thus, a comprehensive understanding of the cumulative impacts of fire, climate change, landcover and habitat are needed. Such an analysis needs to be based on the best available quantitative data, and should attempt to identify critical thresholds for habitat and caribou populations. We refer the BLM to the Western Arctic Caribou Herd Working Group research and recommendations and Rupp et al. 2002 and 2006 as examples of the types of analysis that can inform the BLM's planning efforts. We encourage BLM to partner with some of the researchers working on such issues in Alaska. For example, Dr. Rupp directs the Scenarios Network for Alaska Planning (SNAP) program at UAF, which can help specify hypothesis regarding fire, climate and vegetation that can be tested in the land management plan. Historically, resource and wildlife managers have been able to plan around known species distributions, derived from long term observations and monitoring. However, it is not clear if these same places will support the same populations as the climate changes. Various studies have shown evidence that climate change could alter the distribution or quality of caribou habitat10 and lead to reduction in lichens used as a winter food source.11 There is also the uncertainty associated with how temperature, precipitation and other climatic variables (e.g., cloudiness, evaporation, wind speed, etc.) will change, and if past or present rates of change are truly precedent for the future.

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8.	Climate Change Boreal Forest Health and Habitat Protection Wildlife diversity is critical for healthy systems. Boreal song birds, caribou, moose, bear and other animal populations of the interior know no boundaries of state, federal or private lands. In order to enhance/maintain populations and habitat goals both on BLM and adjacent lands, efforts must be coordinated to prevent undermining ongoing efforts. For example, migration corridors for the Teshekpuk and Western Arctic Caribou herds require close partnerships with stake-holders. According to Alaska Department of Fish and Game's letter to the Alaska Climate Impact Assessment Commission: 'Changes in species distribution and behavior may necessitate adjustments of management plans and harvest regulations.' 'The effect of climate change on wildfires is of great interest and concern, since over much of Alaska fire is the predominant habitat change agent and since our main big game species are fire adapted in different was. Similarly, we may see a trend where the boreal forest will transition toward grasslands, which would favor a different species mix.' 'It will be important to monitor species expanding their ranges into Alaska that could impact hunted species and other wildlife with conservation concerns.' With climate change BLM must also aid in monitoring the health of the system, by aiding in the identification and prevention of invasive species. Climate change will allow a greater number of species to expand their range and potentially out-compete valuable traditional resources and disrupt the balance of Yukon River basin ecosystems. We recommend that the BLM review the Alaska Department of Fish and Game's Comprehensive Wildlife Conservation Strategy, 'Our Wealth Maintained: A Strategy for Conserving Alaska's Diverse Wildlife and Fish Resources' (Attachment B). This document is a resource for prioritizing habitat and wildlife species, and has information which will help better collaborate with ongoing state-based efforts.
9.	Climate Change Permafrost Stability and OHV Management The melting of permafrost is known to cause significant changes in the landscape, from thermokarsts across the landscape slumping into rivers to the expansion and loss of water bodies. Clearly, significant changes in the distribution would alter the landscape of the Bering Sea Western Interior Planning Area, and if these changes continue at current rates or with greater frequency in the presence of large, intense fires, the results could be detrimental to many landscape and wildlife resources. Understanding how much of the Bering Sea Western Interior Planning Area landscape is underlain by permafrost is critical, and we encourage the management plan to include plans for better understanding permafrost and soils and to seek funding for such surveys, and ultimately, to incorporate this information into land management planning. Flexible management is needed to ensure that OHV use does not irreparably damage Alaska's changing landscapes. Education and monitoring is needed as well as clear trail designation and identification to ensure that unchecked trail widening and expansion does not continue within the planning area.
10.	Recognizing that fire is a normal part of the ecology of the arctic ecosystem and is important for maintaining a diverse landscape, the RMP should include provisions to evaluate the effects of fire on caribou habitat and identify a suite of fire management strategies that BLM and adjacent landowners can adopt. Actions identified in the RMP should include: a) Ensuring the fire-retardants used to suppress fire do not have harmful effects on the ecosystem, as these effects can concentrate in the caribou through grazing and drinking affected water. b) Managing for various-aged lichen stands in caribou winter range, recognizing the

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importance of old growth lichen ranges. c) Regularly reviewing and evaluating agency fire management plans and fire management options to ensure they reflect the best interest of the Western Arctic herd. d) Working at a landscape level with other land managers to allow caribou the ability to shift their seasonal ranges in response to environmental variability.

8.2.9 Issue 9: Cultural Resources

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1.	The Bering Sea Western Interior [BSWI] Resource Management (RMP) is important to myself and all the indigenous peoples and residents who live in the region and utilize all of the natural renewable resources that live and thrive in this region. These resources include sea mammals, land mammals and all animals, plus vegetation and marine, riverine and lake dwelling fishes and water dependent life. My ancestors, who trace their roots to the time the Creator of all Universe placed our first people here to live, thrive and utilize all that he placed here for his people--this is the wisdom and cultural values we base our life here. We are to care for and utilize all that the land, sea and air provides for us and to wisely harvest so that all resources are sustainable. This is the heart of our subsistence use of this specific region that is under the care of BLM. In 1951 the Native Village Council responded to the Presidential Executive Order to file a claim for lands used by the native peoples under the Indian Claims Commission. The NVU timely filed a traditional use and occupancy for 9 million acres of land encompassing the native villages of Koyuk, Shaktoolik, Unalakleet, St. Michael and Stebbins, Alaska which includes land, air space and (45) forty-five miles out to sea. This 9 million acres is necessary to allow the five (5) tribes to harvest for needs to feed, clothe and sustain a culturally relevant life we share. Now in 2013 the need for a large area to sustain life in these villages is still relevant. Further with climate change these areas may need to be expanded. Also without clean air, clean water, eroding land, melting permafrost adds more challenge to the people and the resources. The 9 million acres above states goes from Koyuk, Alaska in the north to near Kaltag to the east and Pastolik to the south and Norton Sound to the west.
2.	Subsistence is the highest priority use for the land, sea, rivers and air. The subsistence economy as defined by local aboriginal people is the only economy that is dependent on individual and group harvesting activities. All food and living natural resources that people use are generally migratory. Historic use by our people has been the use of land, water and air is one hundred mile radius from Unalakleet. Marine mammals, land animals, migratory birds are used for food. I recommend that Alaska Native Tribal members be exempt from licenses, permits and duck stamps for subsistence traditional harvests. Bag limits and seasons should be modified for Alaska Native Tribal members. Each tribe should be able to harvest enough food for the winter. Weather is a determining factor in the preservation of food. Our people need to have clean water in the rivers, streams lakes and ocean. We are dependent on fish, birds, and other animals; these resources need clean water land & air.
3.	How would cultural resources be impacted? How would the Iditarod National historic Trail be impacted by the pipeline to the proposed Donlin Gold project?
4.	Historic native campsites on west side of Pike Lake
5.	The Lower Kuskokwim is where the population base is. Attendees in Bethel questioned why BLM seemed to approach more, smaller upriver communities.
6.	Don't overfocus on upper Kuskokwim at the expense of the lower villages
7.	"Not enough time" for scoping and providing scoping comments, communities have not been asked what works best for them (timing-wise). March through May, before breakup, are "ideal" for meeting
8.	AVCP Convention held in October, mid-year meeting in March – good for BLM to attend these.
9.	Map suggestions: creek missing on map (same area upriver of Aniak on north bank into BLM lands toward Pike Lake), also Cobalt Creek = called Mission Creek locally?, add historic Crow Village to map

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10.	Community members shared general information about burial grounds close to town and likely on Native Corporation lands but no specific location.
11.	The Mountain Creek area is important for us and our children culturally
12.	There are numerous abandoned villages all along the coast
13.	Many "hilltops" are culturally significant in the planning area
14.	There are sites of Historical Significance on the Eenrayak, Apokak and Eek River, as well, Sacred Sites.
15.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional peoples customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.
16.	The RMP should not in any way or form, diminish, but be sought to use as a corner stone, Elder Knowledge. Nor should the RMP, in any well meaning form or content of any provision, alienate first peoples from the land.
17.	One of the concerns for fire management in the southwest portion of the State of Alaska (where the BSWI lands are) is that known sites work (the identification of values at risk for wildland fire) needs to be completed and /or updated on BLM lands.
18.	Strategic decisions concerning wildfire management on the three refuges in this area (Yukon Delta, Innoko, and Togiak) may be influenced by the location of values at risk on nearby BLM lands. The values currently listed in the Statewide Known Sites database (http://fire.ak.blm.gov) have been identified by Alaska State Forestry and need to be validated by BLM.
19.	Areas of Critical Environmental Concern - Moreover, the RMP should not propose the designation of any new ACECs or that would occupy lands selected by Doyon under ANCSA or surround or be adjacent to lands that already have been conveyed to Doyon. Such ACECs are unlikely to meet the regulatory criteria for designation of ACECs. Areas under consideration for designation of an ACEC that contain substantial areas of land that are in the process of conveyance or are high priority Doyon, Limited, and State-selected lands are unlikely to be retained in federal land status and therefore inappropriate for designation as ACECs. In addition, designation of such areas as ACECs could limit access to and use of Doyon lands, depriving Doyon of the ability to realize the economic and historic and cultural values of its lands and resources. Further, in the event that BLM proposes designation or continued designation of lands that surround or are adjacent to Doyon lands as ACECs, the RMP should not propose designation of those ACECs as right-of-way avoidance areas. Over the life of the plan, Doyon may require access across ACECs in order to use its lands. Under such circumstances, designation of ACECs that surround or are adjacent to Doyon-owned lands as right-of-way avoidance areas would be absolutely inappropriate. At best, such designation could make it more difficult for Doyon to obtain access to its lands. At worst, it would suggest an effort by BLM to shut-in Doyon lands and to prevent Doyon and its shareholders from enjoying the economic and cultural and historic value of Doyon's lands and resources.
20.	There is a historic native village called "Under the Rock" up the Anvik River where there are artifacts and a lot of history.
21.	The Bonasila is important in the Spring for duck and geese hunting, in the winter for trapping and hunting, and in the Fall for berry-picking, moose hunting, and the Culture Camp we do with our children.
22.	Cultural Resources, Paleontology and Traditional Cultural Properties The direction provided in the BSWI Preparation Plan appears to be adequate given this stage of the RMP planning process. No additional comments are provided at this time.
23.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The

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	Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
24.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
25.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
26.	Recommendations for Wild and Scenic River Status The rivers listed below need to be considered for Wild and Scenic River status. All of these rivers support important fish species, are free flowing, and that the rivers and their immediate environments must be protected for the benefit and enjoyment of the present and future generations. It is very important during the evaluation process that BLM work closely with local communities to explain what a Wild and Scenic River designation means for protection and how it does not inhibit the ability of local people to participate in subsistence, and traditional and customary practices. The Yukon River

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	and the tributaries within the Yukon River watershed are extremely important for wild fisheries, recreation, subsistence, traditional and customary use. Recommendation: Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible.
27.	Cultural Resources Our organizations recommend that the BLM work closely with every tribal government to determine any potential of historic sites that would qualify for protections under the appropriate act: FLPMA, National Historic Preservation Act (NHPA), and Archaeological Resources Protection Act (ARPA). Identified areas should be preserved to protect the significant cultural resources 'for appropriate uses by present and future generations' (BLM Land Use Handbook 1601-1, Appendix C) Under these mandates the BLM must 'seek to reduce imminent threats and resolve potential conflicts or human-caused deterioration, or potential conflict with other resource uses… by ensuring that all authorizations for land use and resource use will comply with the NHPA Section 106.
28.	Cultural Resources Goals Goal 1: Work closely and cooperatively with the local village and other stake holders. A strong relationship should be developed with two way dialogue and open and honest communication of goals and information. Goal 2: Designate the site with the strongest protections for the historic resource. Goal 3: Have an ongoing relationship with the local community to have flexible management of the village site. The community can act as a monitor of the protected site and identify hazards or needs for the area. A long co-operative management relationship should be established.
29.	Roads Provide Increased Access Road development can also allow for increased public access to areas where competing uses were not at issue before. At issue is whether new or existing roads would be open to the public. Negative impacts from increased access include loss and degradation of subsistence resources, cultural resources, archeological and anthropological sites, harm to food security and human health impacts, loss of wilderness and wildlands, loss of scientific baselines associated with intact and remote landscapes, impairment of visual resources and loss of scenic beauty, and degradation of wilderness recreational values including remote hunting and fishing experiences. The road, if open to the public, would allow access to waterways by snowmachines, jetboats, and other recreational or sport uses that could have devastating impacts on nesting and foraging grounds for raptors, waterfowl, shorebirds, and any other species (bird, mammal or otherwise) concentrated along river corridors. Public access could bring detrimental effects from increased visitor numbers that can disrupt subsistence uses, compete with subsistence uses, and degrade the quality of those resources and the environment supporting the resources. For example, increased access for urban hunters and sports hunters would impact the subsistence harvests by disruption as well as by direct competition. Hunting will also bring more intensive state and federal management of the area There is very little data about the impacts of highways and roads on caribou migration patterns. Local communities rely on seasonal caribou migration to provide for family and community members. A road itself could further impact subsistence use because a road has the potential to alter the caribou's migration, and that impact could be worse if the road is heavily trafficked, resulting in more noise, pollution, and people. If a road were to change caribou migration patterns and in turn force people to travel farther from the village, many people would not be able to participate in an activity that

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	defines who they are. This jeopardizes the very culture of the local community.
30.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
31.	Although I may never personally set foot on any portion of these 26.6 MILLION acres (cannot even fathom this figure, actually) that BLM will be managing, I would like to know that the primary focus is to favor subsistence living as well as cultural and traditional practices of those peoples living in this area and forgo resource extraction other than the commercial fishing that is currently taking place.
32.	I've spent a lot of time living and visiting these areas so I know what would be lost if development is allowed. Please let's leave it the way it is and has always been, preserve the country for wildlife and cultural history.
33.	This is one of the largest remaining areas in Alaska and in general for the United States. Carefully and thoughtfully managing this is important to all citizens of the United States, not only Alaska. It will impact the earth. Please make sure that our wildlife and our cultural history are preserved through these planning processes.
34.	THE LEGAL FRAMEWORK FOR PLANNING Federal Land Planning Management Act or FLPMA provides the general framework for BLM's land management decisions. FLPMA directs the bureau to manage lands for multiple uses, but one of Congress's goals in promulgating the statute was that public lands would be "managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . ." as well as to "preserve and protect certain public lands in their natural condition" and provide "food and

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	habitat for fish and wildlife." 43 U.S.C. § 1701(a)(8). Section 202 of FLPMA, 43 U.S.C. § 1712, directs the BLM to develop resource management plans and requires that in developing plans, the agency will: • Use and observe the principles of multiple use and sustained yield and recognize that multiple use does not mean all uses in every place; • Use an interdisciplinary approach to integrate physical, biological, economic, and other sciences; • Give priority to designating and protecting areas of critical environmental concern; Rely, to every extent possible, on an inventory of public lands, their resources, and other values; • Consider present and potential uses of public lands; • Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values; • Weigh long-term benefits to the public against short-term benefits; • Provide for compliance with applicable tribal, Federal and State pollution control laws, standards, and implementation plans; and • Coordinate the land use inventory, planning and management activities of public lands with land use planning and management programs of other agencies.
35.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
36.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under

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	FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
37.	RANGE OF ALTERNATIVES The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c). NEPA's requirement that alternatives be studied, developed, and described both guides the substance of environmental decision-making and provides evidence that the mandated decision-making process has actually taken place. Informed and meaningful consideration of alternatives, including the no action alternative, is an integral part of the statutory scheme. An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 9This evaluation extends to considering more environmentally protective alternatives and mitigation measures.10 NEPA's requirement for consideration of a range of alternatives is intended to prevent the EIS from becoming "a foreordained formality." Alternatives that must be considered under NEPA are those that would "avoid or minimize" adverse environmental effects. NEPA requires that an actual range of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." 11This requirement prevents the EIS from becoming "a foreordained formality."12 Given the broad purpose of the preparation of the Bering Sea Western Interior plan and the information compiled by the public regarding natural and cultural values of these lands, the range of alternatives for these lands should include a number of alternatives to protect their conservation values. Through management plans, BLM can and should protect natural and cultural values through various management decisions, including by excluding or limiting certain uses of the public lands. See, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of subsistence values, cultural resources, recreation, wildlife, and natural scenic values, and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). The BLM must uphold its responsibility to protect the abundant natural values present in the Bering Sea Western Interior planning area when developing management alternatives in the Bering Sea Western Interior draft Resource Management Plan and evaluating their environmental consequences, as required by both FLPMA and NEPA, 42 U.S.C. § 4321 et seq.
38.	Cultural Resources

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	FLPMA also recognizes the importance of "historical values" as part of the resources of the public lands to be protected. 43 U.S.C. § 1702(c). The lack of intensive human access and activity on lands with wilderness characteristics helps to protect these resources. Managing lands to protect wilderness characteristics will also help protect cultural and archaeological sites.
39.	CULTURAL AND HISTORIC RESOURCES Recommendation: BLM's goal should be to protect, conserve, and where appropriate restore cultural and historical sites and landscapes. To that end, BLM should: • Survey all known or discoverable cultural and historic sites, or those adjacent sites may be adversely affected. • Determine the sites or areas that are most vulnerable to current and future impact and adopt management actions necessary to protect, conserve, and restore cultural resources. • Complete a Cultural Resource Management Plan that coordinates with the objectives of the RMP and seeks to provide for an appropriate proactive process of inventorying for cultural resources, making determinations of eligibility for the National Register, and seeking to nominate eligible properties to the National Register. The RMP should establish a timeline for completing the Cultural Resources Management Plan, and prioritize areas to be inventoried for cultural resources. • Outline specific management actions, such as stabilization, fencing, signing, closures, or interpretative development, to protect, conserve, and where appropriate restore cultural resources. • Adopt measures to protect cultural resources from artifact collectors, looters, thieves, and vandals. • Consult with the local tribal government to determine whether there are sites or specific areas of particular concern, including sites of traditional religious and cultural significance.
40.	It's important that BLM allows the people of the region to come first. That means the history (traditional gravesites, traditional hunting grounds, native allotments, etc.) need to be preserved and the cultural heritage needs to be sustained. Annual hunting and fishing grounds need to remain open to the native population of the area. When establishing land use determinations for the area, the people of the area need to be involved so that their voices can be expressed. They are the people who live off the land and know what works and what doesn't, and their voices need to be not only expressed, but heard and put into action.
41.	As for the Georgetown area, it is important that our tribal lands remain intact so that our current and future members will have a place to call home. The traditional fishing and hunting grounds around Georgetown are of great importance to our people and any decisions made need to consider and protect those locations (Brown, pg 99). The George River not only provides hunting and fishing opportunities to those in the region, but it also allows the local population to access ancestral grounds that go back hundreds of years.
42.	Included in this document are three maps of the Georgetown area, an "Overall Site Context" map, a "Site Analysis" map, and a map documenting important subsistence and environmental areas. These include only some of the areas and specific locations that are important to the Native Village of Georgetown, mainly those in close proximity to Georgetown itself. The locations marked in red on the site context map mark areas of cultural significance to our members. The Site Analysis Map should give you a general idea of the layout of the land. The "Environmental and Subsistence Areas of Significance" map marks specific locations as related to the location of Georgetown Native Allotments. Georgetown Members have a fish camp on the river, and spend two or three weeks every summer harvesting salmon for their families. ADF&G and the Kuskokwim Native Association have a fish weir on the George River, which helps to monitor the escapement of salmon to their spawning grounds on the George River. Lastly, the GTC is in the process of collecting baseline water quality data for the protection of water quality in the Kuskokwim and George Rivers, These areas need to be

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	preserved for our members, and for future generations. In a recently published report by the Alaska Department of Fish & Game, the subsistence use details of Georgetown members is well documented (Brown, 2013). Technical Paper No. 379, pages 81-113, summarizes the results of a study conducted on 21 households in 2010 that included members of Georgetown. Page 99 of this document includes a map identifying "harvest locations and search areas for all resources" of Georgetown members who contributed to the research done for the paper. The GTC asks that those documented subsistence needs and areas be recognized and considered, while the RMP is being updated.
43.	The region surrounding Georgetown and the middle Kuskokwim River is a very pristine area, which has not seen a lot of development in the past. Georgetown supports economic development, as long as it is done in an environmentally responsible way. Things like mining and right of way corridors (pipelines, roads) disrupt the natural state of the environment, and should be limited and allowed only after careful consideration of all environmental and social impacts from such projects (including, but not limited to, consideration of subsistence harvest areas, culturally sensitive areas, and native allotments).
44.	We appreciate the opportunity to comment on the scope of the Bearing Sea-Western Interior Resource Management Plan (BSWI RMP). YRDFA is an association of commercial and subsistence fishers on the Yukon River. The region we represent is home to some of the world's most prolific salmon resources, and the world's furthest migrating salmon runs on the Yukon River. These salmon provide a primary source of food for humans and the dogs which are essential to the continued viability of the subsistence way of life in the Yukon River watershed. For many residents the commercial salmon harvest also provides the only means of income for those who live in the remote villages of Central Alaska. Land management decisions made by the Bureau of Land Management (BLM) could have profound effects on salmon and salmon-dependent communities throughout the Yukon River watershed. We therefore ask the BLM in developing the BSWI RMP and associated Environmental Impact Statement (EIS) to: 1) Address impacts to salmon stocks, federally-protected subsistence users, commercial fisheries; Yukon River Salmon Act treaty obligations; and environmental justice implications of each management alternative, including changes to (d)(1) withdrawal status; 2) Address the cumulative impacts to Yukon River salmon stocks from this action and other reasonably foreseeable actions including salmon bycatch in the Bering Sea pollock fleet, climate change, Ichthyophonus and resource development on non-BLM lands; and 3) Conduct adequate consultation with tribal entities throughout the affected river systems as directed by E.O. 13175.
45.	<u>B. Impacts to federally-protected subsistence users;</u> The BSWI RMP and associated EIS must take into consideration impacts to federally-protected subsistence users. Chinook and chum salmon are a vital subsistence resource for rural residents throughout the Yukon River. Without subsistence salmon to feed people and the sled dogs which are an integral part of the subsistence lifestyle on the Yukon, existence in these remote villages would be difficult, if not impossible. Salmon are of irreplaceable value to the cultural, spiritual, and nutritional needs of the Native people of the Bearing Sea and Western Interior Alaska region. Subsistence salmon literally serve as the "grocery store" for village residents, and also serve vital cultural purposes. In communities where other subsistence resources such as moose and caribou have decreased, the value of salmon as the only subsistence resource is even greater. Under the Alaska National Interest Lands Conservation Act (ANILCA),1 federally-qualified subsistence uses have priority over other fish and wildlife needs in-river. Impacts to subsistence users should be analyzed on a Yukon River watershed-wide basis, as any impacts to the salmon in the Bearing Sea-Western Interior regions will be felt throughout the watershed given the anadromous nature of the fish. The result of management actions on the availability of and access to subsistence resources should be considered. Because the Chinook salmon runs are not strong enough to support subsistence needs, particular concern should be given to protecting these stocks in the BSWI RMP.

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46.	E. Environmental Justice considerations under E.O. 12898. Healthy Yukon River salmon stocks are of vital importance to the primarily Native Alaskan communities who depend on salmon for their sustenance and their livelihoods. Harm to the salmon stocks because of increased mineral development and other changes in use places a disproportionately high burden on these communities because of the central importance of this resource to Native Alaskan communities. Under Executive Order 12898, federal agencies are required to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions."3 Under this Executive Order, which has been interpreted as evidence of the government's heightened responsibility toward protecting the resources that these communities and cultures have historically depended upon,4 the BLM should analyze the disparate impacts placed on Alaska Native communities in the Yukon River as a result of changes to salmon populations, subsistence and commercial fisheries and access to subsistence resources.
47.	Many reindeer herds/herders in the region before (Lisa found reindeer collar bell in her Crow Village garden)
48.	Dry portage "old trail" - cross to Aniak, winter trail Aniak to Russian Mission, Crow Village to Paimiut slough, trails are on Smithsonian records
49.	Old trade route; traders came over from the Yukon to trade at Kalskag = "wet route"
50.	Historic travel direction for resource gathering: Crow Village/Chuathbaluk folks moved south, Aniak folks moved north.
51.	The "Old Mail Trail" to Flat is VERY important to us. It has historic significance, we have used this trail for generations. It is how we get around. We don't want anything to happen to this important trail. We use this trail to get to McGrath if other routes are cut off. We use the trail for trapping. (possible ACEC consideration…)
52.	There is a historic mining route that went from Marshall to Kako Mine. The trail is overgrown. Don't know if Marshall might still use that historic trail. (don't know if it is a 17b easement or not? Unsure whether there is interest in the trail or restoring the trail) Some expressed interest in trail restoration for use as road or ATV trail.
53.	Reindeer grazing opportunities are desired, very supportive of reindeer grazing. "Bring it on" "Reindeer are delicious" • Historic herding occurred up Egavik Creek, North River (trib of Unk), South River (trib of Unk), Chirosky River (trib of Unk), and Klikatereq area. • Egavik Creek area used to have a reindeer processing plant circa 1930's

8.2.10 Issue 10: Paleontological Resources

Appendix B Table 10 Issue 10 Cultural Resources - Paleontology
1. Cultural Resources, Paleontology and Traditional Cultural Properties The direction provided in the BSWI Preparation Plan appears to be adequate given this stage of the RMP planning process. No additional comments are provided at this time.

8.2.11 Issue 11: Visual Resources

Appendix B Table 11 Issue 11 Visual Resource Management
1. <u>The Final Plan Must be Consistent With ANILCA's Unique and Specific Provisions Governing Access to Lands and Resources</u> Congress enacted ANILCA to protect Alaska's natural resources and ensure economic development opportunities for Alaska Natives and other private landowners in the State. ANILCA included unique and specific provisions to guarantee that such landowners would have reasonable access to inholdings within or effectively surrounded by one or more conservation system units, national recreation areas, national conservation areas, or areas of public lands designated as wilderness study so that they could make economic and other use of their property. It should be without dispute that any elements of the RMP that may affect access to inholdings thin CSUs and general (non-CSU) BLM-managed public lands must be fully consistent with these provisions. ANILCA Sought to Encourage Economic Development by Creating a Comprehensive, Balanced Regulatory Regime to Govern the Use and Development of Lands and Resources in Alaska In enacting ANILCA, Congress intended that nonfederal land within conservation system units in Alaska would remain available for development. In setting forth the very purposes of the statute, section 101 (d) of ANTI..,CA expressly recognizes the balance struck between resource protection and development: " This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the preservation of national conservation system units and those public lands necessary and appropriate for intensive use and disposition.. 16 U.S.C. § 3101(d). Congress included special provisions in the Act to assist landowners in fulfilling this important, recognized economic need.
2. <u>Cumulative Impacts</u> In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities.
3. <u>Oil and Gas Resources</u> The State opposes restrictions on large land areas that hinder or prevent oil and gas, and geothermal resources exploration,

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	leasing, and development. The BSWI RMP should address planning for management of commercially recoverable petroleum resources, both onshore and offshore. Access must be maintained to subsurface resources throughout the planning area, and through offshore transportation corridors to the coast and uplands. The petroleum resources in the planning area and adjacent Norton Sound offshore have not yet been definitively delineated, and the DNR Division of Oil and Gas continues to strongly support petroleum resource delineation of technically recoverable oil and gas resources, and their exploration, development, and transportation. The State requests that BLM incorporate information about potential petroleum conventional and unconventional resource planning, optimizing resources access and management in the entire planning area. The State strongly supports that any restrictions be lifted for oil and gas access, exploration, leasing, transportation, and related activities, and that construction and field activities for exploration, development, and pipeline systems be allowed throughout the entire planning area. The State encourages opening oil and gas leasing on federal lands, and keeping exploration and leasing open in the onshore and offshore basins with resources potential. The State also recommends that the areas identified with petroleum potential should not be restricted from leasing to protect lands with wilderness characteristics or visual resources. It is important that the BSWI RMP accommodate responsible access to State, Tribal, and private lands, and does not preclude oil and gas exploration and development on these lands. The Minchumina Basin (lowland west and southwest of the Kantishna Hills and east and northeast of McGrath) is unexplored but may have modest conventional gas and coalbed methane potential. The Holitna Basin along the western Denali Fault (immediately southeast of Sleetmute) is unexplored but may have potential for conventional gas or coalbed methane. A natural gas pipeline may eventually be constructed from Cook Inlet and the Susitna lowland to the western Alaska Range and beyond, potentially supplying mines with more affordable energy.
4.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated “wild” river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
5.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.

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6.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
7.	Climate Change Permafrost Stability and OHV Management The melting of permafrost is known to cause significant changes in the landscape, from thermokarsts across the landscape slumping into rivers to the expansion and loss of water bodies. Clearly, significant changes in the distribution would alter the landscape of the Bering Sea Western Interior Planning Area, and if these changes continue at current rates or with greater frequency in the presence of large, intense fires, the results could be detrimental to many landscape and wildlife resources. Understanding how much of the Bering Sea Western Interior Planning Area landscape is underlain by permafrost is critical, and we encourage the management plan to include plans for better understanding permafrost and soils and to seek funding for such surveys, and ultimately, to incorporate this information into land management planning. Flexible management is needed to ensure that OHV use does not irreparably damage Alaska's changing landscapes. Education and monitoring is needed as well as clear trail designation and identification to ensure that unchecked trail widening and expansion does not continue within the planning area.
8.	Recommendations for Lands with Wilderness Characteristics: Additional lands should be managed to protect wilderness characteristics in each block. Within the range of alternatives presented, additional lands should be managed to maintain wilderness characteristics in the subunits, as discussed in detail below. BLM has defined "wilderness characteristics" to include naturalness and providing opportunities for solitude or primitive recreation. In making decisions about managing lands with wilderness characteristics in this planning process, BLM should recognize the wide range of values associated with lands with wilderness characteristics: 1) Scenic values – FLPMA specifically identifies "scenic values" as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted. 2) Recreation – FLPMA also identifies "outdoor recreation" as a valuable resource to be inventoried and managed by BLM. 43 U.S.C. § 1711(a). Lands with wilderness characteristics provide opportunities for primitive recreation, such as hiking, camping, hunting and wildlife viewing, which can be severely impacted if the naturalness and solitude of these lands are not preserved.

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	3) Wildlife habitat and riparian areas – FLPMA acknowledges the value of wildlife habitat found in public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, absence of development activities and corresponding dearth of motorized vehicles, which are integral to wilderness character, also ensure the clean air, clean water and lack of disturbance necessary for productive wildlife habitat and riparian areas (which support both wildlife habitat and human uses of water). Protecting substantial roadless areas in the lands governed by the Bering Sea Western Interior RMP can provide crucial benefits to wildlife, especially to endangered, threatened and sensitive species.
9.	Visual Resource Management Visual Resource Management (VRM) classes need to be established and correlated with the recreation management objectives and setting prescriptions that have been set… (BLM Land Use Handbook 1601-1, Appendix C) VRM Class I is the appropriate designation for Wild and Scenic Rivers. All corridors should be managed for Class I. When determining the VRM for the more remote areas in the planning area, the BLM must work closely with local communities to maintain objectives and goals for potential special designations and subsistence resource protection.
10.	Recreation Management Goals Visual Resource Management Goals Goal 1: Maintain VRM class I and II within the primitive recreation areas and the Wild and Scenic River corridors.
11.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.
12.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands.

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	The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
13.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
14.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to

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	protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
15.	RANGE OF ALTERNATIVES The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c). NEPA's requirement that alternatives be studied, developed, and described both guides the substance of environmental decision-making and provides evidence that the mandated decision-making process has actually taken place. Informed and meaningful consideration of alternatives, including the no action alternative, is an integral part of the statutory scheme. An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 9This evaluation extends to considering more environmentally protective alternatives and mitigation measures.10 NEPA's requirement for consideration of a range of alternatives is intended to prevent the EIS from becoming "a foreordained formality." Alternatives that must be considered under NEPA are those that would "avoid or minimize" adverse environmental effects. NEPA requires that an actual range of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." 11This requirement prevents the EIS from becoming "a foreordained formality."12 Given the broad purpose of the preparation of the Bering Sea Western Interior plan and the information compiled by the public regarding natural and cultural values of these lands, the range of alternatives for these lands should include a number of alternatives to protect their conservation values. Through management plans, BLM can and should protect natural and cultural values through various management decisions, including by excluding or limiting certain uses of the public lands. See, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of subsistence values, cultural resources, recreation, wildlife, and natural scenic values, and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). The BLM must uphold its responsibility to protect the abundant natural values present in the Bering Sea Western Interior planning area when developing management alternatives in the Bering Sea Western Interior draft Resource Management Plan and evaluating their environmental consequences, as required by both FLPMA and NEPA, 42 U.S.C. § 4321 et seq.
16.	Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orangecolored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc

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	contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities.
17.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers

8.2.12 Issue 12: Wilderness Characteristics

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1.	We are fortunate to have so many spectacular, protected wilderness areas. There are enough wilderness areas within Federal lands. I think 60 percent of all federal land in the State is located within Conservation System Units.
2.	Does the passage of an RMP result in a formal recommendation to Congress that a wilderness area be designated? BLM: BLM is precluded by law from recommending Wilderness, but other people can.
3.	Any future wilderness designations should have an expiration date.
4.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
5.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments

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	proposed for Wild and Scenic Rivers Act ("WSRA") designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
6.	Wilderness Characteristics - Doyon generally opposes any designation of areas surrounding or adjacent to Doyon owned lands in the Planning Area as areas where wilderness characteristics would be maintained. As an initial matter, many of these areas are subject to Doyon land selections and, therefore, are subject to potential conveyance to Doyon at some time in the future. Moreover, such designation could significantly impact Doyon's ability to obtain needed access across such lands. BLM's policy for considering lands with wilderness characteristics in land use planning directs the BLM to consider "whether the lands can be effectively managed to protect their wilderness characteristics." Instruction Memorandum No. 2011-154, Requirement to Conduct and Maintain Inventory Information for Wilderness Characteristics and to Consider Lands with Wilderness Characteristics in Land Use Plans (July 25, 2011). BLM has recognized that factors that may affect manageability and that should be considered include land status, mineral ownership, valid existing rights, needs for access to non-Federal inholdings, and additional statutory requirements. In this regard, BLM has stated that, "[i]n developing management actions and allowable uses for land use plans in Alaska, the BLM should take into account the relevant management provisions of the Alaska National Interest Lands Conservation Act (ANILCA)." Considering Lands with Wilderness Characteristics in the BLM's Land Use Planning Process, at 5, available at http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information Resources Management policylim attachments/20 11.Par.28612.File.datfiM20 11-154 att2.pdf Another factor that BLM must consider and document is ''the extent to which other resource values and uses of lands with wilderness characteristics would be forgone or adversely affected if the wilderness characteristics are protected." In this regard, BLM is instructed to consider, among other things, "[t]he potential for further development or use of the other resources on the lands with wilderness characteristics; ... [l]ocal, regional, or traditional (i.e., Tribal) economic value of various resources on the lands with wilderness characteristics and the potential to enhance the economic importance by protecting the lands with wilderness characteristics; and ... [t]he degree to which use or development of each resource is compatible with or conflicts with management of the area to protect wilderness characteristics."
7.	Wilderness Characteristics - Based upon a reasonable consideration of these factors, much of the land area in the vicinity of Doyon-owned or selected lands is unlikely to be suitable for management for maintenance of wilderness characteristics. Much of this land area consists of lands that have been selected by Doyon under ANCSA, and that are likely to be conveyed to Doyon during the term of the RMP, potentially limiting BLM's ability to protect wilderness characteristics on the lands over the long term. In addition, to the extent that lands to be considered for maintenance of wilderness characteristics may surround or be adjacent to Doyon-owned lands, Doyon will require access to non-Federal inholdings. Such access, to which Doyon is entitled under the provisions of ANILCA, could limit BLM's ability to effectively manage the lands to protect their wilderness characteristics. Accordingly, proposals to designate areas in the vicinity of Doyon owned or selected lands as areas where wilderness characteristics would be maintained are unlikely to be supported by BLM policy and guidance governing the consideration of lands with wilderness characteristics in land use planning.
8.	The Final Plan Must be Consistent With ANILCA's Unique and Specific Provisions Governing Access to Lands and Resources Congress enacted ANILCA to protect Alaska's natural resources and ensure economic development opportunities for Alaska Natives and other private landowners in the State.

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	ANILCA included unique and specific provisions to guarantee that such landowners would have reasonable access to inholdings within or effectively surrounded by one or more conservation system units, national recreation areas, national conservation areas, or areas of public lands designated as wilderness study so that they could make economic and other use of their property. It should be without dispute that any elements of the RMP that may affect access to inholdings within CSUs and general (non-CSU) BLM-managed public lands must be fully consistent with these provisions. ANILCA Sought to Encourage Economic Development by Creating a Comprehensive, Balanced Regulatory Regime to Govern the Use and Development of Lands and Resources in Alaska In enacting ANILCA, Congress intended that nonfederal land within conservation system units in Alaska would remain available for development. In setting forth the very purposes of the statute, section 101 (d) of ANILCA expressly recognizes the balance struck between resource protection and development: " This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the preservation of national conservation system units and those public lands necessary and appropriate for intensive use and disposition...16 U.S.C. § 3101(d). Congress included special provisions in the Act to assist landowners in fulfilling this important, recognized economic need.
9.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
10.	<u>Cumulative Impacts</u> In determining cumulative effects, the Draft EIS should clearly identify the resources that may be cumulatively impacted, the time over which impacts are going to occur, and the geographic area that will be impacted by the proposed RMP activities. The focus should be on resources of concern (i.e. those resources that are at risk and/or are significantly impacted by the proposed project before mitigation). In the introduction to the Cumulative Impacts Section, identify which resources are analyzed, which ones are not, and why. For each resource analyzed, the EIS should: a) Identify the current condition of the resource as a measure of past impacts. For example, the percentage of species habitat lost to date. b) Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving,

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	declining, or in stasis. c) Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends. For example, what will the future condition of the watershed be? d) Assess the cumulative impacts contribution of the proposed alternatives to the long-term health of the resource, and provide a specific measure for the projected impact from the proposed alternatives. e) Disclose the parties that would be responsible for avoiding, minimizing, and mitigating those adverse impacts. f) Identify opportunities to avoid and minimize impacts, including working with other entities.
11.	Lands With Wilderness Characteristics The State has significant concerns regarding the implementation of BLM Manual 6310 to inventory and apply protective measures to lands with wilderness characteristics (LWC) in Alaska. Given that the majority of federal lands in Alaska contain wilderness characteristics as described in the Manual (e.g. 99% of the Eastern Interior planning area qualified as LWCs), implementing restrictive measures to protect LWCs could result in a continual erosion of available multiple use lands and potentially lead to extensive limits on uses and activities in vast areas of the State. This would threaten the delicate balance regarding the designation of public lands achieved through ANILCA, as indicated in Section 101(d). In addition, ANILCA Section 1320 specifically exempts BLM lands in Alaska from FLPMA Section 603. As a result, BLM is not allowed to manage lands recommended for wilderness designation to the non-impairment standard and is instead directed to manage in accordance with applicable land use plans. "In the absence of congressional action relating to any such recommendation of the Secretary, the Bureau of Land Management shall manage all such areas which are within its jurisdiction in accordance with the applicable land use plans and applicable provisions of law. (Emphasis added, ANILCA Section 1320) "
12.	Lands With Wilderness Characteristics In lieu of conducting wilderness reviews, which carry this specific limitation in Alaska, BLM is implementing portions of Secretarial Order 3310 as represented in BLM Instruction Manual 2011-154 to administratively identify and subsequently protect LWCs through the land use planning process. While BLM does not call the action a wilderness review, the basis for the policy is the Wilderness Act, and the State is concerned that by protecting LWCs through the land use planning process, the policy is circumventing congressional direction in ANILCA Section 1320 to continue multiple use management on recommended lands pending any action from Congress. LWCs are not recommended wilderness; therefore, they should not be managed more restrictively than Congress allows for recommended wilderness. BLM must therefore not apply management prescriptions to LWCs, which would equate with the non-impairment standard in FLPMA Section 603, thus conflicting with ANILCA Section 1320. BLM should also not apply management prescriptions, which would result in lands being managed more restrictively than ANILCA CSUs. This includes any actions that would effectively result in a land withdrawal, which without subsequent Congressional approval would violate ANILCA Section 1326(a).
13.	Oil and Gas Resources The State opposes restrictions on large land areas that hinder or prevent oil and gas, and geothermal resources exploration, leasing, and development. The BSWI RMP should address planning for management of commercially recoverable petroleum resources, both onshore and offshore. Access must be maintained to subsurface resources throughout the planning area, and through offshore transportation corridors to the coast and uplands. The petroleum resources in the planning area and adjacent Norton Sound offshore have not yet been definitively delineated, and the DNR Division of Oil and Gas continues to strongly support petroleum resource delineation of technically recoverable oil and gas resources, and their exploration, development, and transportation.

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	The State requests that BLM incorporate information about potential petroleum conventional and unconventional resource planning, optimizing resources access and management in the entire planning area. The State strongly supports that any restrictions be lifted for oil and gas access, exploration, leasing, transportation, and related activities, and that construction and field activities for exploration, development, and pipeline systems be allowed throughout the entire planning area. The State encourages opening oil and gas leasing on federal lands, and keeping exploration and leasing open in the onshore and offshore basins with resources potential. The State also recommends that the areas identified with petroleum potential should not be restricted from leasing to protect lands with wilderness characteristics or visual resources. It is important that the BSWI RMP accommodate responsible access to State, Tribal, and private lands, and does not preclude oil and gas exploration and development on these lands. The Minchumina Basin (lowland west and southwest of the Kantishna Hills and east and northeast of McGrath) is unexplored but may have modest conventional gas and coalbed methane potential. The Holitna Basin along the western Denali Fault (immediately southeast of Sleetmute) is unexplored but may have potential for conventional gas or coalbed methane. A natural gas pipeline may eventually be constructed from Cook Inlet and the Susitna lowland to the western Alaska Range and beyond, potentially supplying mines with more affordable energy.
14.	Wildland Fire Management Fire management in the BLM Anchorage District has become confusing and inconsistent in the past several years. Many of the duties of the former Anchorage District have been delegated to the Alaska Fire Service (AFS). Fire response planning levels on many of the BLM lands involved in the BSWI planning area were set in the initial interagency planning process thirty years ago and have not been formally reviewed since. The planning areas include the Tanana Minchumina Plan (1982), Kuskokwim Iliamna Plan (1983), and Yukon Togiak Plan (1984). The State requests the BSWI RMP include a review of current fire protection levels on BLM land to determine if they are still applicable, or in need of change. To date there has been a lack of consistency on the use of fire retardant on BLM lands in Southwest area of the state. We are very concerned with, and oppose, any policy that may uniformly prohibit the use of aerial fire retardant during the 'initial attack' of fires on BLM land as it is an issue of firefighter safety. Due to the very remote nature of these lands, we may put people on the ground without the ability to recover them quickly. The use of fire retardant in the initial attack of a fire allows us to secure a 'safety area' in which firefighters may take refuge if changing fire behavior warrants. We request that use of aerial fire retardant on BLM lands be addressed in the BSWI RMP. In the Alaska Master Cooperative Wildland Fire Management and Stafford Act Response Agreement, land managers (jurisdictional agencies) are required to develop and maintain 'Known Sites' databases to assist in the fire management process. This known sites database identifies sites as well as their protection status. BLM's Alaska Wildland Fire Structure Protection Policy is covered in IM AK 2007-033 (attached). Will an updated 'known sites' database be a product of the BSWI RMP? In reading the posted public comment from community meetings conducted for the BSWI RMP, most seemed to be concerned with traditional use for subsistence on BLM land, or having access to cross BLM land for access of these traditional use areas. The State recommends that BLM update the 'known sites' database to include sites associated with these activities such as 'trap' or shelter cabins. The State is concerned that managing for lands with wilderness characteristics on BLM lands in the BSWI may impact fire management plans or fire suppression activities such as the use of chainsaws or helicopters. BLM should also consider invasive species management and mitigation that may affect fire suppression activities. The BSWI RMP should acknowledge the important ecological role of wildfire in maintaining wildlife habitat. In addition, through multi-agency

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	cooperation, the BSWI RMP should promote the use of appropriate fuel and vegetation treatments for large areas or stands of decadent timber/shrub that will reestablish early seral stages of habitat.
15.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
16.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
17.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
18.	Lands with Wilderness Characteristics The Bering Sea Western Interior RMP must identify protections and means to preserve Lands with Wilderness Characteristics (LWC) defined as

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	naturalness, outstanding opportunities for solitude, and outstanding opportunities for primitive and unconfined recreation. We understand that current management prescribes that no wilderness designations can be made – but we consider this a whim of administrative priorities and have seen a record of back and forth closing and opening for review and designation. In light of this, Lands with Wilderness Characteristics should be documented with goals for protection to prevent degradation that would preclude future designations (BLM LUP Handbook, Appendix C).
19.	Lands with Wilderness Characteristics Goals While ANILCA Section 1320 (43 U.S.C. § 1784) excused BLM from the mandatory Wilderness review provisions of FLPMA Section 603, it certainly did not prohibit Wilderness reviews.14 Rather, it states that, "in carrying out his duties under §201 and §202 of such Act and other applicable laws, the Secretary may identify areas in Alaska which he determines are suitable as wilderness and may, from time to time, make recommendations to the Congress for inclusion of any such areas in the National Wilderness Preservation System, pursuant to the provisions of the Wilderness Act. …" Instruction Memorandum (IM) 2011-154 and Manuals 6310 (Conducting Wilderness Characteristics Inventory on BLM Lands) and 6320 (Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process) contain mandatory guidance on implementing that requirement. The IM directs BLM to "conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under [NEPA]." Manual 6310 requires BLM to maintain an updated inventory of lands with wilderness characteristics, including during land use planning. Manual 6320 requires BLM to consider lands with wilderness characteristics in land use planning, both in evaluating the impacts of management alternatives on lands with wilderness characteristics and in evaluating a range of alternatives that would protect those values. The Bering Sea Western Interior Field Office is in the process of inventorying Lands with Wilderness Characteristics. Given the remote and primarily pristine nature of the planning area and the acreage involved, it is likely that more than 90% of the BLM-managed lands will be classified as lands with wilderness characteristics. In Alaska, provisions in ANILCA provides another layer of guidance that states in the Lower 48 don't take into consideration which can affect how lands with wilderness characteristics are managed. Due to potential conflicts in use and differing desires for land uses in Alaska, the State of Alaska is generally not supportive of managing lands for wilderness characteristics which will make this a controversial issue in the RMP.
20.	Lands with Wilderness Characteristics Goals General management approach should be strengthened. Based on previous planning efforts in the State of Alaska, the overall management approach to lands managed for wilderness characteristics need to consider the following permitted activities: • Snowmobile travel with adequate snow cover • Motorboat use • Airplane use, including Primitive, unimproved landing areas • Temporary structures and equipment placement related to hunting, fishing, and trapping • Public use cabins and other small facilities • Summer OHV use, including mechanized, on designated or existing trails • Locatable mineral location and entry The scoping phase also needs to identify the following activities as "generally incompatible": • Mineral Leasing • Summer OHV use off of designated or existing trails (with exceptions for subsistence use) • Areas of desired future developed recreation facilities

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	• Uplands adjacent to navigable rivers where the State of Alaska may authorize development • Lands available for disposal. If BLM is only managing a subset of the lands with wilderness characteristics to protect those values, then management should be meaningful and ensure that wilderness characteristics are actually protected. Without reliable, enforceable protections, these lands will remain at risk.
21.	Lands with Wilderness Characteristics Goals We would also draw your attention to the menu of management provided in Manual 6320, which makes the following statement: Examples of land use plan decisions that could protect lands with wilderness characteristics include, but are not limited to, the following: 1) Recommend withdrawal from mineral entry. 2) Close to leasing or allow leasing only with no surface occupancy with no exceptions, waivers, or modifications. 3) Designate as right-of-way exclusion areas. 4) Close to construction of new roads. 5) Designate as closed to motor vehicle use, as limited to motor vehicle use on designated routes, or as limited to mechanized use on designated routes. 6) Close to mineral material sales. 7) Exclude or restrict with conditions for certain commercial uses or other activities (e.g., commercial or personal-use wood-cutting permits). 8) Designate as Visual Resource Management Class I or II. 9) Restrict construction of new structures and facilities unrelated to the preservation or enhancement of wilderness characteristics or necessary for the management of uses allowed under the land use plan. 10) Retain public lands in federal ownership.
22.	Recommendations for Lands with Wilderness Characteristics: As shown above, BLM should impose more protective stipulations to ensure that lands being managed for their wilderness characteristics actually will continue to have such values. Specific improvements that we recommend BLM incorporate in management of lands with wilderness characteristics within the Bering Sea Western Interior pertain to: Motorboat use: Overall, the sights and sounds of motorized use are not consistent with naturalness and solitude. Moreover, motorboat use leads to more erosion from banks and airboat use. Increased bank erosion is likely to harm protective near-shore habitat for fingerlings and smolt in rivers. Accordingly, we recommend that motorboat use only be permitted in these areas with a wake control mechanism. Airplane use, “including” Primitive, unimproved landing areas: Improving new landing areas is inconsistent with managing to maintain wilderness characteristics. Airplane use in lands managed for wilderness characteristics should be limited to only primitive, unimproved and any existing areas that are already improved. The RMP could also provide that improvements could be authorized if there is a compelling reason why an unimproved landing area is not sufficient and all efforts are made to minimize impacts to wilderness characteristics. Locatable mineral location and entry: This activity is inconsistent with protecting wilderness characteristics. Further, most of the lands identified with wilderness characteristics do not have high potential for this resource and the BLM has not provided any justification for permitting it. At a minimum, lands with wilderness characteristics that overlap ACECs, headwaters and rivers, and important habitat should be closed to locatable mineral location and entry. The RMP could provide for permitting such activities based upon evidence by an applicant of high resource potential and that there are not

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	comparable resources outside of lands being managed for wilderness characteristics. New structures and roads: Construction of new structures and facilities should only be permitted if needed for preservation or enhancement of wilderness characteristics or necessary for the management of other permitted uses. Construction of new roads should be prohibited.
23.	Recommendations for Lands with Wilderness Characteristics: Additional lands should be managed to protect wilderness characteristics in each block. Within the range of alternatives presented, additional lands should be managed to maintain wilderness characteristics in the subunits, as discussed in detail below. BLM has defined "wilderness characteristics" to include naturalness and providing opportunities for solitude or primitive recreation. In making decisions about managing lands with wilderness characteristics in this planning process, BLM should recognize the wide range of values associated with lands with wilderness characteristics: 1) Scenic values – FLPMA specifically identifies "scenic values" as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted. 2) Recreation – FLPMA also identifies "outdoor recreation" as a valuable resource to be inventoried and managed by BLM. 43 U.S.C. § 1711(a). Lands with wilderness characteristics provide opportunities for primitive recreation, such as hiking, camping, hunting and wildlife viewing, which can be severely impacted if the naturalness and solitude of these lands are not preserved. 3) Wildlife habitat and riparian areas – FLPMA acknowledges the value of wildlife habitat found in public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, absence of development activities and corresponding dearth of motorized vehicles, which are integral to wilderness character, also ensure the clean air, clean water and lack of disturbance necessary for productive wildlife habitat and riparian areas (which support both wildlife habitat and human uses of water). Protecting substantial roadless areas in the lands governed by the Bering Sea Western Interior RMP can provide crucial benefits to wildlife, especially to endangered, threatened and sensitive species.
24.	Recommendations for Lands with Wilderness Characteristics: 4) Economic benefits – The recreation opportunities provided by wilderness quality lands also yield direct economic benefits to local communities. According to the U.S. Fish & Wildlife Service, in 2006 State residents and non-residents spent $3.4 billion on wildlife recreation in Alaska. (USFWS 2011, National Survey of Hunting, Fishing and Wildlife-associated Recreation - http://www.census.gov/prod/2013pubs/fhw11-ak.pdf). 5) Quality of life – The wildlands located within the vast Bering Sea Western Interior planning area and subunits help to define the character of this area and are an important component of the quality of life for local residents and future generations, providing wilderness values in proximity to growing population centers. Their protection enables the customs and culture of these communities to continue. 6) Balanced use – Areas of BLM lands are open to motorized use and development. FLPMA recognizes that "multiple use" of the public lands requires "a combination of balanced and diverse resource uses" that includes recreation, watershed, wildlife, fish, and natural scenic and historical values (43 U.S.C. § 1702(c)). FLPMA also requires BLM to prepare land use plans that may limit certain uses in some areas (43 U.S.C. § 1712). Many other multiple uses of public lands are compatible with protection of wilderness characteristics – in fact; many uses are enhanced if not dependent on protection of

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	wilderness qualities (such as primitive recreation and wildlife habitat). Protection of wilderness characteristics will benefit many of the other multiple uses of BLM lands, while other more exclusionary uses (such as energy development) will still have adequate opportunities on other BLM lands in the planning area.
25.	Goals for Wilderness Characteristics: Goal 1: Document important wilderness qualities on a regional, state, national and global scale. Goal 2: Offer the strongest protections possible for identified LWC areas.
26.	Off Highway Vehicle Management Recreational OHV use has had major impacts on the planning area. The scarring damage on vegetation and sensitive tundra needs to be ended and strong preventative measures and enforcement need to be put in place. 'Degraded trails are a significant environmental problem because of their direct effects on vegetation, soils and site hydrology.' There are also associated effects on wildlife and esthetics. (Meyer, 2002) Our organizations recommend the study Managing Degraded Off-Highway Vehicle Trails in Wet, Unstable and Sensitive Environments, from USDA Forest Service written by Kevin G. Meyer. Meyer prescribes many ways to deal with and prevent trail degradation including: location documentation, condition assessment, improvement prescriptions, implementation and maintenance and monitoring. Further, our organizations feel that there is ample access for OHV uses in the planning area. Ongoing management for these areas needs to be improved to prevent the continued abuse of OHV users and maintain a high quality environment for future users.
27.	Alaska contains some of the last truly wild places on the planet. Please limit development on these lands.
28.	As an Alaska resident who respects the traditional way of life of our Alaska Natives and Communities I implore you to protect these areas. As and Alaska resident who enjoys and respects the beauty, pristine and uniqueness of our state, I ask that you protect Central Yukon and Bering Sea-Western Interior
29.	Recommendations on Website Information: We recommend posting analyses on the Bering Sea Western Interior website as soon as they are available on issues such as Areas with Critical Environmental Concern evaluations, evaluation of Lands with Wilderness Characteristics and analysis of comments submitted on the Draft Plan.
30.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. §

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	1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
31.	PROTECTIONS OF LANDS WITH WILDERNESS CHARACTERISTICS Section 201 of FLPMA, 43 U.S.C. § 1711 (a), requires the BLM to maintain a current inventory of its resources, including regularly updating this inventory. Section 202 of FLPMA 43 U.S.C. § 1712 (a) requires the BLM to incorporate this information into developing, maintaining and updating land use plans that set out management for different tracts of land and types of resources. These resources include lands with wilderness characteristics. As the U.S. Court of Appeals for the Ninth Circuit recently held, "wilderness characteristics are among the 'resource and other values' of the public lands to be inventoried under § 1711. BLM's land use plans, which provide for the management of these resources and values are to 'rely to the extent it is available, on the inventory of the public lands, their resources, and other values." 43 U.S.C. § 1711 (c) (4). The lands governed by the Bering Sea Western Interior management plan contain vast acres of pristine wildlands that possess naturalness and outstanding opportunities for solitude and/or primitive recreation. Instruction Memorandum (IM) 2011-154 and Manuals 6310 (Conducting Wilderness Characteristics Inventory on BLM Lands) and 6320 (Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process) further outline the requirement for and process associated with evaluating lands with wilderness characteristics. The Instruction Memorandum directs BLM to "conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified lands with wilderness characteristics in land use plans and when analyzing projects under [NEPA]." Manual 6310 requires BLM to maintain an updated inventory of lands with wilderness characteristics, prior to land use planning. Manual 6320 requires BLM to consider lands with wilderness characteristics in land use planning, both in evaluating the impacts of management alternatives on lands with wilderness characteristics and in evaluating a range of alternatives that would protect those values. As defined in BLM Manual 6310, lands with wilderness characteristics must meet three basic criteria. First, areas must be 5000 acres or more of contiguous public land without the presence of roads, as defined in the Manual. Second, they must be affected primarily by the forces of nature, and any work of human beings must be substantially unnoticeable. And third, areas must provide outstanding opportunities for solitude and/or primitive and unconfined recreation. Additionally, lands with wilderness characteristics may possess supplemental values that further enhance the area. Categorically, the vast majority of lands within the Bering Sea-Western Interior planning area meet these criteria. In a separate Alaska planning process – the Eastern Interior RMP revision – the BLM found that 99% of its 6.74 million acres contained wilderness characteristics. Given the condition and location of the Bering Sea-Western Interior lands, we expect a similar finding.
32.	PROTECTIONS OF LANDS WITH WILDERNESS CHARACTERISTICS The agency is required to disclose its inventory of lands with wilderness characteristics

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	prior to the publication of the Draft Resource Management Plan, as this inventory is intended to assist the agency and the public with making sound decisions and comments regarding proposed management decisions that affect these areas. IM-2013-106 states: The BLM field offices should make finalized and signed wilderness characteristics inventory findings (using the forms provided in BLM Manual 6310, Appendix B) available to the public as soon as practicable after their completion and before the inventory data is used to inform decisions. If possible, this should occur prior to, and no later than, the publication of the draft NEPA analysis associated with the action. Manual 6320 requires BLM to consider lands with wilderness characteristics in land use planning, both in evaluating the impacts of management alternatives on lands with wilderness characteristics and in evaluating a range of alternatives that would protect those values. Examples of land use plan decisions that could protect lands with wilderness characteristics include, but are not limited to, the following: • Recommend withdrawal from mineral entry; • Close to leasing or allow leasing only with no surface occupancy with no exceptions, waivers, or modifications; • Designate as right-of-way exclusion areas; • Close to construction of new roads; • Designate as closed to motor vehicle use, as limited to motor vehicle use on designated routes, or as limited to mechanized use on designated routes; • Close to mineral material sales; • Exclude or restrict with conditions for certain commercial uses or other activities (e.g., commercial or personal-use wood-cutting permits); • Designate as Visual Resource Management Class I or II; • Restrict construction of new structures and facilities unrelated to the preservation or enhancement of wilderness characteristics or necessary for the management of uses allowed under the land use plan; and/or • Retain public lands in federal ownership.
33.	Wildlife Habitat and Riparian Areas FLPMA acknowledges the value of wildlife habitat found on public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, and corresponding dearth of motorized vehicles, and absence of development activities ensure clean air and water. Additionally, the lack of disturbance provides for productive wildlife habitat and riparian areas, which support both wildlife habitat and human uses of water. Further, inventorying lands with wilderness characteristics will also provide important data on existing large blocks of habitat and how BLM can restore these blocks of habitat to better match the historic range of variability. Managing an ecosystem within its range of variability is appropriate to maintain diverse, resilient, productive, and healthy ecosystems for viable populations of native species. Using the historical range of variability is the most scientifically defensible way to meet society's objective of sustaining habitat14.
34.	Cultural Resources FLPMA also recognizes the importance of "historical values" as part of the resources of the public lands to be protected. 43 U.S.C. § 1702(c). The lack of

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	intensive human access and activity on lands with wilderness characteristics helps to protect these resources. Managing lands to protect wilderness characteristics will also help protect cultural and archaeological sites.
35.	Quality of Life The undeveloped lands located within the Bering Sea Western Interior planning area help to define the character of this area and are an important component of the quality of life for local residents and future generations, providing unparalleled wilderness. Their protection enables the customs and cultures of these communities to sustain. Recommendation: Inventory and publicly disclose the location, qualities, and decision rationale for the management of lands with wilderness characteristics prior to publication of the Draft Resource Management Plan. Recommendation: Provide a range of alternatives regarding the protection of lands with wilderness characteristics, including an alternative that protects all identified lands. Recommendation: For lands chosen for protection of wilderness characteristics, apply strong management prescriptions that will retain wilderness qualities, such as those outlined above.
36.	TRAVEL MANAGEMENT BLM's internal guidance states that "each RMP will divide planning areas into OHV area designations that are open, limited or closed." IM No. 2004-005, see also 43 C.F.R. § 8342.2(b). This internal guidance was also incorporated into the updated version of BLM's Land Use Planning Handbook. H-1601, Appendix C, Section II.D (Comprehensive Trails and Travel Management). The Land Use Planning Handbook states that BLM should: • Complete a defined travel management network (system of areas, roads and/or trails) during the development of the land use plan, to the extent practical. If it is not practical to define or delineate the travel management network during the land use planning process, a preliminary network must be identified and a process established to select a final travel management network. (Emphasis added.) • Special management areas, such as ACECs, recreation management areas and citizen-proposed wilderness, must include travel designations within their boundaries. Recommendation: BLM must complete comprehensive travel management concurrently with the RMP process. The RMP should also identify priority areas for implementation of the travel plan.
37.	Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orangecolored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest

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	Alaska. Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities.
38.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers
39.	Much of the area has wilderness like qualities and is unexplored Much of the areas within the RMP have wilderness like qualities, and should not require designation to retain such qualities. RDC is opposed to the BLM listing lands as Areas of Critical Environmental Concern, designating additional Wild and Scenic Rivers, and no areas should be considered for Wilderness designation. Federal acreage dedicated to Conservation System Units in Alaska is nearly 148 million acres, accounting for 70 percent of all national park lands in the U.S., 80 percent of wildlife refuge acreage, and 53 percent of federally-designated Wilderness, at 58 million acres. The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) was the final word on additional conservation units for Alaska. The RMP should explicitly acknowledge the unique compromises of ANILCA, which include identification of sufficient conservation lands. Furthermore, the area included in the RMP should be further evaluated for mineral potential before restrictive land designations are implemented. Sufficient mapping and geological information should be acquired, and until then, the area should be left open to all uses.

8.2.13 Issue 13: Minerals Management: Leasable Fluid Minerals (Oil and Gas) and Solid Minerals (Coal, Oil Shale, Sodium, Nitrate)

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1.	I would really recommend that there be a translation from BLM regulatory language to common usage of terms, e.g. oil, gas, coal, coal bed methane, specific minerals, etc. Each map should say oil, gas... There should be a key that has more detail. People really don't understand your terms. It's great, you're really ahead of the last plan [Eastern Interior RMP] having these maps at scoping, but they're meaningless when you don't know what a "mineral" is. They're too general. You need people to see what's in their front yard, backyard, upstream, downstream.
2.	How much potential is there for energy development?
3.	Air Quality Our review of the NOI was conducted in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA). Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Please see Enclosure 1 for more information concerning Section 309. In addition to enclosure 1 (not included here), the RMP/Draft EIS should provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), and criteria pollutant non-attainment areas in the planning area and vicinity. The analysis should estimate emissions of criteria pollutants for the RMP/Draft EIS area and discuss the timeframe for release of these emissions over the lifespan of the RMP. Also, the document should include analyses of the potential impacts to air quality (including cumulative and indirect impacts) from the RMP projects, especially those involving construction activities. The RMP/Draft EIS should specify emission sources and quantify these emissions. Such an evaluation is necessary to assure compliance with State and Federal air quality regulations, and to disclose the potential impacts from temporary or cumulative degradation of air quality. For proposed oil and gas activities on BLM or other federal lands in the planning area subject to the June 2011 Interagency Memorandum of Understanding for Air Quality Analysis and Mitigation for Federal Oil and Gas Decisions through the National Environmental Act Process, such analysis should be conducted as appropriate.
4.	Coal Throughout the BSWI RMP planning area there are numerous isolated coal occurrences that may reflect larger but heretofore unknown potential coal resources. Access to and future minability of these potential coal deposits should be considered. The Little Tonzona Coal Field is approximately 60 miles east-southeast of McGrath. This coal field contains thick minable subbituminous coal seams in excess of 30 inches thick, with total identified coal resources of 1.5 billion short tons (based on outcrops and exploratory drilling). Doyon Ltd. has developed an exploration and mining plan for the Little Tonzona Coal Field to potentially supply coal to McGrath and other villages. Access to and future minability of the Little Tonzona Coal Field should be maintained in the RMP for the area. The Cheneetnuk River, Big River, and Windy Fork coal districts lie just southwest and along trend with the Little Tonzona Coal Field. Their coal potential is unknown and access to and future minability of these potential resources should be considered in the BSWI RMP. The southern portion of the Lower Koyukuk Basin located east of Unalakleet contains some reportedly thick seams of bituminous coal and should be considered in the BSWI RMP. Along the Yukon River south of Kaltag to Grayling are located numerous bituminous coal occurrences, some of which were mined historically during the steamship era. There exists potential for further exploration and development in this area. From Nelson Island westward and across Etolin Strait to Nunivak Island there exists a subbituminous coal field that comprises the Nelson island and Nunivak Island Coal Districts. East of the village of Tununak there is a coal deposit that has been considered potentially minable and could provide heating to the local villages. Additional investigation of this site is needed.

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5.	Fluid Minerals: Oil and Gas, Tar Sands, and Geothermal Resources Discovery of economically viable natural gas or geothermal resources could result in direct benefits to meet local Alaskan energy needs. Therefore, the State request that BLM include oil and gas, and geothermal resources assessments in the BSWI RMP. Retaining access for exploration, development, production, and transportation of these resources on State owned and state-selected land in the planning area is of upmost importance to the State. The BLM should not close or defer leasing in areas with oil, gas, or geothermal resources potential. Prescribed, arbitrary oil and gas leasing constraints are not in the State best interests. Energy resources leasing and project approvals should be done on a project specific basis. The BLM should not impose area limitations on surface occupancy land uses. Arbitrary size limitations on surface uses are not recommended, especially on lands near or contiguous to State surface and subsurface lands. The BLM should retain leasing in areas with oil and gas resources potential, while maintaining access to surface and subsurface resources on non-federal lands. The BLM must obtain prior written concurrence from non-federal landowner(s) prior to approving or denying land use authorizations that will negatively impact adjacent landowners such as the State, Tribal, unincorporated villages and boroughs, or private land owners and/or access to common resources. The State also requires that prior written concurrence be obtained prior to implementation of restrictions on State owned or state-selected land. BLM should coordinate all project authorizations and mitigation efforts with the non-federal landowners within the planning area to maintain consistency among land uses and mitigations. In addition, we recommend BLM incorporate State and local government regulatory criteria and oversight to provide regulatory consistency among non-federal jurisdictions and regulations.
6.	Oil and Gas Resources The State opposes restrictions on large land areas that hinder or prevent oil and gas, and geothermal resources exploration, leasing, and development. The BSWI RMP should address planning for management of commercially recoverable petroleum resources, both onshore and offshore. Access must be maintained to subsurface resources throughout the planning area, and through offshore transportation corridors to the coast and uplands. The petroleum resources in the planning area and adjacent Norton Sound offshore have not yet been definitively delineated, and the DNR Division of Oil and Gas continues to strongly support petroleum resource delineation of technically recoverable oil and gas resources, and their exploration, development, and transportation. The State requests that BLM incorporate information about potential petroleum conventional and unconventional resource planning, optimizing resources access and management in the entire planning area. The State strongly supports that any restrictions be lifted for oil and gas access, exploration, leasing, transportation, and related activities, and that construction and field activities for exploration, development, and pipeline systems be allowed throughout the entire planning area. The State encourages opening oil and gas leasing on federal lands, and keeping exploration and leasing open in the onshore and offshore basins with resources potential. The State also recommends that the areas identified with petroleum potential should not be restricted from leasing to protect lands with wilderness characteristics or visual resources. It is important that the BSWI RMP accommodate responsible access to State, Tribal, and private lands, and does not preclude oil and gas exploration and development on these lands. The Minchumina Basin (lowland west and southwest of the Kantishna Hills and east and northeast of McGrath) is unexplored but may have modest conventional gas and coalbed methane potential. The Holitna Basin along the western Denali Fault (immediately southeast of Sleetmute) is unexplored but may have potential for conventional gas or coalbed methane.

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	A natural gas pipeline may eventually be constructed from Cook Inlet and the Susitna lowland to the western Alaska Range and beyond, potentially supplying mines with more affordable energy.
7.	Lower Yukon-Kuskokwim Region Oil and Gas Resource Potential - Norton Sound: The State of Alaska has published resources assessment information that the offshore sedimentary basins of the Norton Sound are known to be capable of generating hydrocarbons, figure 1 attached (Swenson et al., 2012). Rock strata from the Eocene to middle Oligocene are the most likely petroleum source rocks in the Norton Sound basin (Swenson et al., 2012, citing to MMS, 1998). Previous drilling of eight wells in the 1980's has revealed moderate to strong gas shows, with weak oil shows in three wells drilled in the Norton Basin (Swenson et al., 2012, citing to MMS, 1998). The geochemical data reported sufficient temperatures and quantities of organic carbon beneath 9,500 feet depth to generate hydrocarbons. Further access and exploration should be allowed offshore in the Norton Sound, the area north of the Yukon Delta in the Bering Sea, and just beyond the Lower Yukon-Kuskokwim region. Discovery of an economic gas source could result in direct benefits to meet local energy needs. Exploration with 3D seismic surveys can reduce exploration risks, and improve efforts to delineate viable oil and gas resources (Swenson et al., 2012). Uplands: Geologic data for the onshore uplands of the planning region indicate that sedimentary rocks have low potential for conventional oil and gas due to the formations present. The likelihood of conventional oil and gas reservoirs is reduced due to the lack of petroleum source rocks, and poor reservoir rock characteristics (Swenson et al., 2012). The Paleozoic-age Holitna basin formations do not have evidence of significant organic carbon in potential source rock (Swenson et al., 2012). The oil and gas low potential is also reported for the Cretaceous-age sedimentary rocks in the Yukon-Koyukuk and Kuskokwim basins, and the organic material present is not generally gas prone (Swenson et al., 2012). There are some formations in the McGrath Quadrangle, and in the Middle Tanana basin near Healy, where the source rocks demonstrate some potential to generate liquid hydrocarbons if buried deep enough (Swenson et al., 2012, citing to Stanley and others, 1990). In areas where thick coals may be present, e.g. the Holitna basin, it is reasonable to project that biogenic gas may be present, but migration to a reservoir formation may be problematic (Swenson et al., 2012, citing to Rice, 1993). Unconventional Petroleum Resources: The potential for coalbed methane, tight sand oil and gas, shale gas, and recoverable gas hydrates are under assessment in the Lower Yukon-Kuskokwim area. There currently is low potential projected for this region due to structural complexity, lack of known source rocks, and lack of geotechnical, seismic, or geologic data. (Swenson et al., 2012, citing to LePain and others, 2003). The lack of geologic information for the Lower Yukon-Kuskokwim portion of the planning area can be updated in the future with continued exploration that may reveal technically recoverable conventional and unconventional petroleum reservoirs.
8.	Bering Straits Region Oil and Gas Resource Potential: There is a small portion of the BSWI RMP planning area that is within the Bering Straits resources assessment area. The planning area acreage in Bering Straits region is located on the coast ranging from just north of Unalakleet to the south to below Stebbins and St. Michael, and inland to the Yukon River. The geologic assessment of the Norton Sound area is as presented above for the Lower Yukon-Kuskokwim assessment. The offshore basins have potential in the deeper parts of the basin to have conditions suitable for generation of thermogenic gas hydrocarbons (Swenson et al., 2012, citing to Turner and others, 1986). The development of potential liquid hydrocarbon condensates and any significant natural gas resources may be challenged by cost and logistical constraints, and would not be economically viable in current markets. Based upon current geology data, the onshore portions of the planning area in the Bering Straits region have low to no potential for development of conventional oil and gas, figure 2 attached (Swenson et al., 2012). The State supports continued exploration that may reveal technically recoverable

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	conventional and unconventional petroleum reservoirs that are economically feasible to develop and can result in direct benefits to meet local energy needs.
9.	State of Alaska Oil and Gas Exploration Licenses: The State opposes any BLM management practices or restrictions that negatively impact the State's oil and gas exploration licensing opportunities in the planning area. The State has an active oil and gas exploration licensing program with the objectives to stimulate exploration in basins with hydrocarbon potential outside the State's areawide leasing areas. Under Alaska Statute (AS) 38.05.035 and AS 38.05.132-133, the State issues oil and gas, or gas only, exploration licenses. During the annual licensing process applications are received in April, or the DNR Commissioner may issue a notice requesting proposals at any time. Exploration licenses can increase exploration and interest in oil and gas resources throughout the planning area.
10.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.
11.	Oil and Gas (leasable) Within the Bering Sea Western Interior Planning Area there are multiple land managers in addition to BLM. Currently, there is no oil and gas leasing taking place and potential is not well understood. The Bering Sea Eastern Interior field office is working to finish the Leasable Mineral Occurrence and Development Potential Report which should be available to the public by summer 2014. Once the report is finalized, it will be essential for BLM to work closely with the State of Alaska to ensure that new oil and gas field developments, whether they are conventional or not: • have minimal footprints including minimizing infield roads and pipelines, and • use the best technologies and practices for infrastructure, including required upgrading of infrastructure and operations as improvements are developed. From a land use perspective, BLM will need to ensure that pipelines which pass through its lands use the best technologies. This includes frequent use of best available "smart pigging" technology, leak detection methods that detect both small and large spills, rapid shut-down valve technology, and advanced corrosion prevention. Additionally, because pipelines which contain mixtures of oil, natural gas, and produced water – the materials produced by most wells – are both more prone to leaks and tougher to monitor internally for releases, there should be a preference for single-phase pipelines. This preference would require separating these materials at the well-pad and ensuring that long-distance transmission pipelines contain just crude oil. Additionally, BLM should ensure that any hydraulic fracturing operations on its lands should meet the highest existing design and testing standards for well integrity and blowout prevention, and the best standards for flowback and wastewater injection. BLM also should provide full and accessible disclosure of fracturing fluid contents to the public with only the narrowest of trade secret protections, as well as requiring use of non-toxic fracturing fluids, and the best means of chemical and waste transportation, storage, recycling, treatment, and disposal.
12.	Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies,

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	2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: • Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; • Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and • Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
13.	Coal (leasable) Coal is a significant mineral resource in this planning however much of it is not located on BLM managed lands. Only coal resources identified as having development potential as acceptable for further consideration for leasing will be considered for either surface or underground mining operations as stated by BLM. BLM is required to thoroughly evaluate the comprehensive impact of coal exploration and extraction to the planning area including infrastructure needed to support the operation, air quality impacts, water quality, impacts to wildlife life habitats and wildlife. This evaluation does not mean the exploration and development of coal should be considered. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind.15 Any coal exploration, development, prospecting and transportation should be considered in this EIS. The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a coal mining environment like few in the world. Impacts associated with support infrastructure to facilitate the operation persist, and are more difficult to mitigate. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible to reclaim due to slowed vegetation and geologic adaptations. Surface-mining impacts include surface-environment degradation from infrastructure and pit, as well as permafrost thaw, alteration of aquatic ecosystems, and degradation of air quality. Coal mining activities deserve special attention because they can introduce coal dust to the air and water, which is often very fine and contains heavy metals. Degraded air quality from these activities and also from truck and mining equipment emissions can have an adverse impact on human and animal health. The associated indirect impacts of digging up coal include numerous impacts from burning that same coal. Coal is one of the worst carbon-dioxide producers affecting global climate, with natural gas and oil close behind. Any coal industrial activities will then contribute to global warming, which disproportionally impacts the Arctic. It is essential that these reasonably foreseeable impacts from destroying the landscape to dig up coal will also result in increased mercury transport to Alaska. Burning coal releases mercury into various levels of our ecosystem and atmosphere that can then bioaccumulate in fish, which then pass up the

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	food chain to humans sometimes at toxic levels especially in women. If local communities cannot consume fish, it will be detrimental to their health and culture. The results from mercury contamination must be taken into account in this EIS. Recommendation: - BLM fully consider impacts to BLM lands from potential coal projects on neighboring lands BLM prohibits coal exploration and production on BLM lands
14.	Roads, General Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion. Roads can cause disruptions in the physical and chemical environments surrounding it, which can affect the health of lichen and animals that consume it. Roads and traffic cause physical harm to lichens and mosses as well as spread dust that can settle on plants blocking photosynthesis, respiration, and transpiration (Auerbach 1997, Ecological Applications "Effects of Roadside disturbance on Substrate and Vegetation Properties in Arctic Tundra."). Roads can also impact plants by introducing heavy metal deposition, salt accumulation, and by organic molecules like ozone and nutrients into the area. The National Park Service conducted a study in 2004 on cadmium and lead deposition on lands near Red Dog Mine and found heavy metals at their highest concentrations in plants nearest the road, and that decreased with distance. Heavy metals can accumulate in plants and then move up the food chain eventually to humans. If new roads are considered, the accumulated uses of the road, like the hauling of minerals or coal, is an important factor to consider. Building permanent gravel roads creates unnecessary access to wild lands, disturbs vegetation, and breaks up habitat. The proposed road will have both direct and indirect impacts. One of the major impacts of roads on tundra is that they melt permafrost and increase the depth of the tundra's active layer, leading to thermokarst adjacent to roads.16 Dust shadows on the leeward side of roads can accelerate snow melt and alter the surrounding plant communities, while drifted snow on the windward sides of roads can delay snowmelt, and the damming effects of roads can create impoundments.17 According to the NRC, "the area affected by thermokarst and impoundment associated with gravel fill is approximately double the area covered by gravel."
15.	Roads, General Flooding is another major effect of roads on tundra that must be considered. Drainage patterns on flat tundra, such as that found in parts of the proposed project area, can be complex, with many unconnected drainage systems. 19 Culverts are difficult to position, and even when positioned properly are often frozen during spring melt. 20 The Corps must take into account the environmental impacts of such flooding, as well as other indirect effects from roads such as the introduction of nonnative species. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Crude oil transmission pipelines without roads may not result in increased air traffic as there are federal requirements for monitoring rights of way (biweekly monitoring with aerial monitoring used most commonly, see 49 CRF 195.412(a)). Leak detection for transmission pipelines typically is

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	performed using instrumentation via internal or external (i.e., wire-resistance) monitoring, although its effectiveness needs to be evaluated. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. (a) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including 1) if technically feasible, the continuous capability to detect a daily discharge equal to not more than one percent of daily throughput; 2) flow verification through an accounting method, at least once every 24 hours; and 3) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. (b) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. However, BLM must also address any requirements for gathering lines within oil fields.
16.	Mineral Management Goals Within the Bering Sea Western Interior area 125,444 acres of the lands open to Appropriation and Disposition under the Public Lands Act are also open to mineral leasing which include oil and gas, coal, geothermal and peat (Southwest Management Framework Plan 1981). Lands encumbered by withdrawals are not open to mineral entry. There are areas of high mineral potential in the eastern and central portions of the Planning Area in a mineral belt extending from northeast to southwest. We encourage BLM to carefully consider future locatable and leasable mineral development. The listed goals below will provide BLM a framework to use for decision making. Goal 1: Institute and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of further damages important to aquatic habitat by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: Many of the rivers and creeks could be serving as a drinking water source for villages throughout the Yukon River and Kuskokwim River basins such as the Nulato River. BLM needs to inventory all streams and rivers used as drinking water sources and manage them for drinking water quality. Goal 4: Increase protections from development within proposed Wilderness Study Area recommendation designations. This includes considerations for improving operations standards as technology has improved for development, closures and limitations. Goal 5: Appropriate construction should be timed to avoid sensitive life stages for fish. Goal 6: Monitoring before and after development to be able to measure the impacts of development. Goal 7: Establish adequate perimeters for seismic activity to prevent damage to fish bearing streams.
17.	Dear BLM, Please consider strong protective management for the Central Yukon and Bering Sea Western Interior planning areas. We live in a time of uncertainty for our landscapes and the animals that rely on them. Further, people living in the area depend on the land and animals so as we look into the future of these planning areas a long term conservation strategy will serve our public lands better than a short term mining or oil and gas development investment.
18.	Please keep mining and the petroleum industry out of these areas, along with associated infrastructure such as road construction. These areas need to remain remote to keep indigenous way of life intact and to protect the wildlife that subsistence users depend on.

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19.	Drilling and Water Quality: BLM must ensure that exploration activities, such as drilling, do not adversely impact water quality, fisheries and subsistence resources. Although many agencies assume that exploration drilling will have no adverse impact on water quality, a recent study of water quality impacts from exploration drilling at the proposed Pebble Mine site found that drill fluids were not confined in the unlined sump containment system, and were documented flowing into a wetland at levels exceeding aquatic life standards.31 According to the report, water quality samples were collected from the drill waste collection sump, from a wetland pool, and from a groundwater spring 30 meters down gradient of the sump system. Analyte concentrations exceeded water quality standards, sometimes by orders of magnitude in samples from the sump and wetland pool for: aluminum, cadmium, copper, iron, lead, manganese, silver, zinc, diesel range organics, and residual range organics. For example, the most stringent aquatic water quality standard for total copper (at 25 mg/L hardness) is 2.85 g/L, total copper in the unlined sump was 435 g/L and in the wetland pool was as high as 137g/L, levels lethal to aquatic life. According to the report, high metal concentrations documented in the sump and wetland pool samples are likely attributable to mineralized drill cutting and rock flour while elevated diesel and residual range organic concentrations likely originate from fuels and or/muds used in drilling. Onsite disposal of drill fluids in unlined sumps is permitted by the State of Alaska at exploration sites. Extensive exploration, with hundreds of drill sites, could result in broad impacts. Recommendation: BLM must require management practices that are necessary and appropriate to prevent unnecessary or undue degradation of the land, its resources and the environment, and avoid adverse impacts to or attain the least adverse impact possible of the land, its resources and the environment.
20.	DEVELOPMENT PRESSURES – OIL AND GAS LEASING The BLM is obligated to manage the land for a number of resources other than solely for oil and gas leasing, and under the definition of multiple use, the agency should manage some land for less than all of the resources and should not always be concerned with managing the land in order to receive the greatest economic return. The definition of multiple-use makes it clear that simply because a particular resource exists does not mean that the BLM needs to be able to extract that resource for a profit. It is well within the realm of BLM's multiple-use mandate to not have a significant portion of the Bering Sea Western Interior planning area open to oil and gas leasing, as supported by BLM's new oil and gas leasing policy (IM 2010-117): [I]n some cases, leasing of oil and gas resources may not be consistent with protection of other important resources and values, including units of the National Park System; national wildlife refuges; other specially designated areas; wildlife; and cultural, historic, and paleontological values. Under applicable laws and policies, there is no presumed preference for oil and gas development over other uses. Further, BLM should consider alternatives which choose not to re-lease areas formerly leased when those leases expire or are terminated. Additional areas where there are specific resource concerns or that are identified as important habitat and should be considered for other uses besides oil and gas leasing include, but are not limited to: Areas of Critical Environmental Concern, Recreation Management Areas, critical habitat, areas with cultural resources, and lands with wilderness characteristics. BLM's answer to charges that it is not adequately protecting resources from oil and gas impacts is often to provide leasing with No Surface Occupancy (NSO) stipulations. While NSO stipulations are a marked improvement over offering leases with standard lease terms, it is important to note that NSO stipulations do not necessarily resolve the wildlife and other resource concerns associated with oil and gas leasing. There are adverse consequences to wildlife associated with oil and gas development, regardless of whether or not there is an NSO stipulation on the lease. Further, BLM often offers and approves exceptions, modifications or waivers from the application of NSO stipulations. Having NSO stipulations on a majority of the lands within the field office is better than allowing surface occupancy in terms of wildlife and resource concerns, but that does not

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	supplant the BLM's obligation to manage for a variety of resources, of which oil and gas is only one.
21.	DEVELOPMENT PRESSURES – OIL AND GAS LEASING In order to comply with NEPA, BLM must consider a broad spectrum of alternatives in regards to which lands will be available for oil and gas leasing. A draft RMP that leaves all the lands within the planning area open to oil and gas leasing or only allows for very slight differences between the alternatives in this regard fails to meet the "reasonable range of alternatives" directive. Furthermore, such an RMP would fail to comply with BLM's oil and gas leasing policy, which specifically rejects the presumption that oil and gas development should be given preference over other uses of the public lands. This means that, in the Draft RMP, BLM should not presume that areas currently available for leasing should remain that way or that BLM has an implicit duty to open areas to leasing simply because that is what industry wants. Rather, BLM has an obligation to rigorously explore and evaluate a range of alternatives, including closing areas currently open to leasing in order to protect wildlife, wilderness and other important resource values, especially those areas with low potential for oil and gas development. BLM has an opportunity in this RMP to make great strides in conservation and habitat health. The long-term viability of these strategies, programs and goals can be best achieved by instituting real protections of important ecological areas, applying best management practices and the highest standards of care where economic activity is allowed. The West is pockmarked with many places which were left open to oil and gas leasing based on the belief that these areas had low potential for development. As a result, when an economically recoverable reservoir of oil and/or gas was discovered, the area had insufficient protection measures in place. This lack of forethought has created many problems for wildlife and other resources that we would like to avoid in the Bering Sea Western Interior planning area. While Pew is not opposed to responsible energy development, we do encourage BLM to withhold areas of high ecological importance or cultural resource density from leasing. Pew encourages BLM to responsibly balance oil development and conservation of ecologically important wildlife habitat, and areas with other outstanding natural or subsistence values. Recommendations: In order for the BLM to comply with FLPMA and NEPA the agency should, at a minimum, consider and rigorously explore alternatives which do not leave a significant portion of the planning area open to oil and gas leasing. See 43 U.S.C. § 1712(c)(1) and 40 C.F.R. §§ 1502.14(a) and 1508.25(c). We recommend, at a minimum, that the areas identified as having low oil and gas potential be removed from consideration for leasing either by maintaining existing (D)(1) withdrawals or by imposition of an administrative designation. Further, BLM must consider a range of alternatives that will address what to do with currently leased lands that are not developed and are either terminated or expire. Prohibiting further oil and gas leasing in these areas would help the BLM provide for a balance of uses on the lands it manages. For lands that are identified as appropriate for leasing, a variety of non-waivable stipulations, conditions of approvals (COAs), and Best Management Practices should be developed to protect sensitive natural and cultural resources in the planning area.
22.	ANALYZING IMPACTS OF OIL AND GAS LEASING NEPA requires that federal agencies take a "hard look" at the direct and indirect environmental impacts of oil and gas development before any action that will lead to such development takes place. 42NEPA's regulations further provide that the "effects" on the environment that agencies must consider include those that are "direct, indirect, or cumulative." 40 C.F.R. § 1508.8. The NEPA regulations define "cumulative impact" (40 C.F.R. § 1508.7) as: The impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The analysis of impacts included in the RMP must adequately address the cumulative impacts of oil and gas operations within the region or the impacts inherent in the proposed action.

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	Federal case law amplifies that agencies must disclose the direct and indirect environmental effects a federal action will have on non-federal lands, 43 where federal approval of highway project likely to have impacts on development of surrounding area, agency must analyze development impacts in EIS, 44same, 45striking down EA where agency failed to account for private development impacts likely to result from its approval of causeway and port facility, 46striking down EA where agency failed to account for private development impacts likely to result from agency approval of bridge. Such impacts must be disclosed, particularly where facilitating private development may be the project's reason for being. 47 BLM must consider impacts of region-wide development and also consider impacts on adjacent private lands. Existing development from neighboring planning areas as well as development from inholdings within the planning area affects the entire planning area. Similarly, although the BLM does not have formal control over adjacent private lands, these lands can also be affected by oil and gas development. Recommendation: The agency must consider the cumulative impacts from regional oil and gas development and the cumulative impacts to adjacent lands from oil and gas development. This analysis should inform the manner in which BLM allocates lands as available or unavailable for oil and gas development and the conditions under which development may be permitted.
23.	OIL AND GAS DEVELOPMENT BEST MANAGEMENT PRACTICES For lands available to oil and gas development, we recommend non-waivable lease stipulations and conditions of approval to protect their resources, such as wildlife habitat, water quality and wilderness characteristics. It is vital that the RMP require the use of best management practices (BMPs) for oil and gas exploration and development, which can drastically reduce the impacts of oil and gas development on the other natural resources of the public lands. BLM's guidance requires consideration of BMPs for oil and gas development. BLM's Instruction Memorandum 2004-194 directs consideration of BMPs and both the memorandum and the recently updated Gold Book, as well as IM 2010-117, provide examples of BMPs that can be applied to both new and existing leases in order to limit the damage from oil and gas development. It is critical that the RMPs consider and make BMPs mandatory in order to comply with BLM's guidance and obligations to protect the many natural values of these lands. Furthermore, the Anchorage Field Office should ensure BMPs are consistent with the new state office standardized lease stipulations, as set out in IM 2010-117. Recommendation: The RMP must identify Best Management Practices (BMP) and make them mandatory, especially in sensitive areas. BMPs should include: • Phased or strategic development - in terms of timing (developing one area, then restoring before moving to another), location (such as staying out of wildlife corridors), limiting amount of equipment in use at any given time, limiting amount of surface disturbance on a lease at any given time and requiring successful restoration before permitting additional disturbance; • Directional drilling; • Clustered drilling; • Closed loop drilling; • Interim reclamation; • Restoration standards; • Unitization; and • Increased bonding that will fund reclamation.
24.	PUBLIC HEALTH

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	In February, 2008, the Environmental Protection Agency provided the BLM with its comments on a revised natural gas field drilling plan for the Pinedale Anticline in Wyoming, citing concerns about human health issues including elevated ozone levels and groundwater contamination, as well as visibility impacts in nearby Wilderness Areas. Consistent with its responsibilities under Section 309 of the Clean Air Act, EPA reviewed the analysis of impacts and gave the plan its worst possible rating. EPA recommended that BLM revise the plan to correct the problems identified by EPA. In its decision, the EPA stated: [I]t is of utmost importance that the Revised Draft SEIS identify effective and enforceable mitigation strategies to ensure environmental and public health protection as the proposed 4,399 additional wells on the Pinedale Anticline are developed.48 The BLM in Alaska has established a valuable precedent by carrying out a rigorous assessment of public health impacts (sometimes referred to as a health impact assessment, or HIA) as part of two environmental impact statements, the Northeast NPR-A Supplemental EIS and the NPR-A Integrated Activity Plan/EIS 49 50 In the case of NPR-A, BLM has adopted a mitigation measure stating: To help ensure the proper consideration of potential public health impacts, the BLM would consult with agencies with recognized expertise in Alaska Native public health and health impact assessment on major development proposals to gain information about their potential public health impacts. BLM should do the same in the EIS for the Bering Sea Western Interior plan and any other major decision document where oil and gas, mining or major pipeline construction may have a significant impact on human health. Natural resource development such as oil and gas and mining can have potentially severe impacts on human health, as noted below. As for any other potentially significant impact, the Draft EIS should incorporate a rigorous analysis of the potential direct, indirect, and cumulative health impacts of the proposed action and alternatives, and identify potential mitigation measures to address any significant health impacts.
25.	PUBLIC HEALTH The scope of health effects considered should include those related to any potential impacts on air or water quality; impacts on the local food supply, food security, diet, and diet-related illnesses such as diabetes and cardiovascular disease; accidents and injuries related to oil and gas or mining activities, or other issues such as more difficult hunting conditions secondary to displacement of fish and game; the potential for transmission of infectious illnesses between in-migrating workers and rural Alaskan communities; the potential for mental health impacts and problems of alcohol and substance abuse which are sometimes reported in association with natural resource development projects; and other issues as appropriate. Not only is this approach used commonly by U.S. and international health agencies, but it is used by the oil and gas and mining industries.51 Moreover, as a result of the work of BLM and others, the State of Alaska has established an HIA program, and now considers that conducting HIAs is a best practice for major natural resource development decisions in the state. 52 NEPA intends that human health be thoroughly considered in any EIS. Congress stated that: …it is the continuing responsibility of the Federal Government to use all practicable means…to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may….assure for all Americans safe, healthful, productive and aesthetically and culturally pleasing surroundings..” and “…attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences…53 NEPA implementing regulations make clear that health is one of the effects that must be considered in an EIS. Specifically, the regulations define “effects” as “ecological, aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative.” [40 C.F.R. § 1508.8] Moreover, the regulations direct agencies to consider “the degree to which the proposed action affects public health or safety.”54 These regulations also state that Federal agencies shall to the fullest extent possible “Use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of

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	their actions upon the quality of the human environment."55 A recent comprehensive review by the National Research Council of the National Academies concluded that the consideration of health under NEPA is "a matter of law, not discretion, when it is likely to add important information that is relevant to decision-making."56 Recommendation: BLM should incorporate a systematic public health analysis into the Draft RMP for the Bering Sea Western Interior. HIA offers an appropriate way to accomplish this within the requirements of NEPA. BLM should consult with appropriate state and tribal health authorities to identify data sources, analytic approaches, and potentially effective mitigation measures for any issues identified.
26.	The EIS should address the cumulative impacts to Yukon River salmon stocks Finally, the impacts of reasonably foreseeable development on non-BLM land on Yukon River salmon should be considered. Other development projects including but not limited to the oil & gas development of the Yukon Flats National Wildlife Refuge/Doyon Land Exchange and the Donlin Creek mine, if developed, will have their own impacts on Yukon River salmon runs which must be considered in combination with the impacts under the BLM RMP.
27.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers
28.	The Resource Development Council for Alaska, Inc. (RDC) is writing to comment on the Bureau of Land Management's (BLM) Bering Sea-Western Interior Resource Management Plan/Environmental Impact Statement (BSWI RMP) scoping plan. RDC is a statewide, non-profit, membership-funded organization founded in 1975. The RDC membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources. RDC appreciates the opportunity to comment on the RMP scoping, and respectfully requests the BLM incorporate the following comments and suggestions in the RMP. One of RDC's priorities is to encourage the new exploration and responsible development of Alaska's mineral resources. RDC encourages the BLM to

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	incorporate resource management, such as opening the area to resource development, increased access for exploration, mineral leasing, mining, and oil and gas development. Much of Alaska's federally managed lands are closed to responsible resource development, and the RMP should include provisions to open more areas to resource development activity.
29.	Benefits of maintaining multiple use areas The area under consideration in this RMP is 60 million acres, and surrounds many rural communities. Resource development in the area could provide economic benefits to the region where well-paying jobs are scarce, as well as improved or added infrastructure and access to areas for multiple use. RDC maintains that multiple uses should include mining (exploration, leasing, development) for oil and gas, coal, and minerals, as well as recreational and other potential uses. With less than one percent of Alaska in conventional private ownership, access should be available on other lands. Additionally, RDC encourages the BLM to recognize that multiple use activities often incorporate mitigation measures, and that a one-size fits all plan should not be considered.
30.	Conclusion RDC encourages the BLM to incorporate resource management, such as opening the area to resource development, increased access for exploration, mineral leasing, mining, and oil and gas development. Thank you for the opportunity to comment on this important issue.

8.2.14 Issue 14: Minerals Management :Locatable and Salable Minerals (mineral materials: sand, gravel, aggregates / salable: anything non-salable, non-leasable)

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1.	Mining definately should be kept from happening on our drainage.
2.	Our family-owned company holds State of Alaska mining claims at the Win and Won properties north of McGrath. Within the time frame of the management plan (15 to 20 years) additional exploration work will be conducted on these claim groups resulting in a drilling program. The Win group of claims is 15 miles north of the McGrath airport and the Kuskokwim River. The Win and Won claims have polymetallic tin mineralization. In addition to tin, other metals may be by-products to make these properties economic. Our exploration to date has verified previous U.S. Bureau of Mines, Battle Mountain, and Anaconda data. Tin is a strategic mineral and presently most of the U.S. supply comes from Peru and Bolivia. This supply chain is tenuous because the sole Peruvian tin mine will be closed within four years due to depleted reserves and Bolivia is not a very U.S. friendly country. The principal Bolivian deposit is Potosi, which has been mined for hundreds of years. The government has prohibited mining at the upper levels of Potosi because the mountain is so honeycombed that a mountain collapse could occur. The other significant world tin suppliers are China and Indonesia. These would not be dependable sources during a war event. World-wide, 54% of tin is used as industrial and electronic lead-free solders. In the U.S., tin is also used in a wide range of chemical applications, tinplate, bronze and brass, steel alloys, and new energy applications including lithium-ion batteries. Development of a tin resource would provide not only a domestic source of this strategic metal, but also provide local employment in mining, transportation, service and supply sectors. While the initial phases of exploration will normally be helicopter supported from McGrath, advanced exploration may require airstrips, a winter-ice road, and probably numerous drill sites. If an ore deposit is developed by drilling, bulk testing would be needed for metallurgical definition for a processing method. Ultimately a road would probably be required to tie a mine site to transportation on the Kuskokwim River and/or to the McGrath airport. Thank you for considering this mineral property during your planning.
3.	Within the time frame of the management plan (15 to 20 years) additional exploration work will be conducted on these claim groups resulting in a drilling program.
4.	Ultimately a road would probably be required to tie a mine site to transportation on the Kuskokwim River and/or to the McGrath airport.
5.	Development of a tin resource would provide not only a domestic source of this strategic metal, but also provide local employment in mining, transportation, service and supply sectors.
6.	There is an absence of “minerals” from your “issues to consider” in both plans. You have “soil” and “management of resources- mining” in the BSWI plan, but there is an absence of minerals from both plans. Minerals are a federal/BLM resource. I find this oversight egregious. Both of these areas have a long and storied mining history with a lot of potential development too. I hope it doesn’t speak to lack of cognizance of the importance of minerals and mining in these areas.
7.	I think there has been some mischaracterization of the purpose of these withdrawals-5180 and 5184. The purpose of the withdrawals was not to close the lands to locatables or leasing; the purpose was to close the lands for ANSCA selection and to not encumber those lands should they become selected by ANSCA corporations. That is an important distinction. Those lands were not enacted just to close those lands to mining; it was to make them available for ANSCA selection. Since many ANSCA corporations, especially those out along in the Calista region are nearing entitlement; the reason

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	for the withdrawals has become mute.
8.	I would really recommend that there be a translation from BLM regulatory language to common usage of terms, e.g. oil, gas, coal, coal bed methane, specific minerals, etc. Each map should say oil, gas... There should be a key that has more detail. People really don't understand your terms. It's great, you're really ahead of the last plan [Eastern Interior RMP] having these maps at scoping, but they're meaningless when you don't know what a "mineral" is. They're too general. You need people to see what's in their front yard, backyard, upstream, downstream.
9.	This is a huge plan and the threshold decisions that are going to be made in these plans…are the vast acres of withdrawals are lifted or not? If they are lifted, under ANILCA, it is very difficult to put back…the withdrawals for mining and oil and gas. So that is one of the most important decisions. But look at this plan- how is BLM going to manage? There is a proposal to open…I don't know… say 3 or 6 million acres in the Eastern Interior Plan. How are they going to have enough staff to monitor, plan, manage, and do compliance? It's unrealistic. Those kinds of considerations are important when you look at the scope of what we have today and what we have in the future- and the pace of lifting these withdrawals…especially when you see the [Native] corporations don't have their full entitlements yet.
10.	I would encourage you to standardize the types of maps that you put up so that each planning area has similar map opportunities online. Some of the maps available for BSWI are not available for the Central Yukon (CY) Plan. The RMP materials should use the same kinds of terminology. It seems there are several types of terminology used in the CY, BSWI, and Eastern Interior Resource Management Plan (RMPs) for the mining withdrawals under [ANSCA]d1 designations and mining designations.
11.	We are concerned about the impact to water resources from mining and new access roads to new mining sites including the road to Ambler.
12.	Keep withdrawals closed (to mining), benefits moose and habitat for other animals
13.	Ongoing abandoned mine investigations – Is BLM continuing to look for AML?
14.	Still old CAT trails across the landscape from mining heydeys.
15.	Concerns about Red Devil; use lessons learned to inform stipulations, terms, and conditions on future mining activities; avoid Red Devils in the future
16.	Ensure independent 3rd party testers/remediation specialists are involved in mining reclamation
17.	Why isn't Oskowalik listed as high potential? Rare earth mineral maps show area as 'high.'
18.	Is Donlin mine in a Mining District? If so, which one? How much of that District is on BLM lands? (Dave Cannon)
19.	How much more development related to mining is expected or could occur on BLM lands?
20.	There is likely to be a cumulative increase in interest in mining as a result of Donlin
21.	Answer to the question about the patenting of mining claims: BLM has had a moratorium on the patenting of mining claims since 1994.
22.	BLM lands between Marshall and Russian Mission along the Yukon are important sources of firewood and moose
23.	Responsible environmental management considerations are important, however, equally, if not more important, are local economies. People, especially in rural communities, must have access to resources to survive. This takes many forms, including access to fish and game and responsible mining/development activities.
24.	Joe Kaninsky Mine (gold) 12 miles off the river, Mission Creek
25.	Old cinnabar on "left" hand side (west of Owhat River) of mountains behind Chuathbaluk, one old mine in the base of the mountains up in the bowl

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26.	Don't close the area down to economic development. It is hard for us to live our subsistence way of life nowadays and we do live in a cash economy. The biggest resource in our area is minerals and mining to bring cash into our local economy.
27.	We've been surrounded by mining for generations.
28.	Mining is a big resource in our area. We do not object to mining when it is done right.
29.	Our natural resources are more important than risking the damage that may caused to the resource by mining.
30.	Potential mineral resource: Along the river is an area known locally as "Eli's Nose" which may have some mineral potential (our maps did not identify that area). It may be on Native Corporation land, but would require access across BLM lands
31.	Not supportive of mining on BLM lands close to RM as the toxicity can disorient the fish and the runoff from mining lands would reach the Yukon River.
32.	Concern expressed over who benefits from development of natural resources when developed (mining), the companies benefit from the development, not the locals. Even our scenic resources are hurt.
33.	These withdrawals that close entire areas to mining are foolish when a site-specific study is what needs to be done to determine the viability of each deposit and the methods of mining that would occur locally. This commenter received a copy of the Mineral Potential report that demonstrated an analysis of mineral deposits in the area.
34.	The old trail to Flat goes from McGrath up the Takotna River and down the George River toward Flat. Right now, the trail is not used much even though a cat has been driven on it. If more mining is developed in the future in Flat, that trail would become more important again and it crosses BLM land in places.
35.	RS 2477 roads and trails: inquired about how the BLM plan would address trails and Reserved Statute 2477 roads, commonly known as RS 2477, as part of mining activities in the area. Expressed concerns about identifying trails in the plan because outsiders might use them, especially in light of the State's plans to build roads in Interior Alaska. Robert Walker also voiced concerns about miners revealing local trails that they use to access their claims.
36.	Emergency Response The planning area includes areas which may contain leasable resources including oil and gas, and contains known locatable resources (minerals). Activities involving the development of these resources may increase the likelihood of unintentional discharges of oil, gas and other hazardous substances. EPA is a co-chair of the Alaska Region Response Team and serves as the Federal On-Scene Coordinator for oil spill and hazard material releases to inland waters. EPA also prepares, in conjunction with the U.S. Coast Guard, the State of Alaska and other stakeholders, sub-area contingency plans for all inland and coastal zones in Alaska. The Western Alaska Contingency Plan is the sub-area plan covering most of the Bering Sea-Western Interior planning area. These plans supplement the Alaska Federal/State Preparedness Plan for Response to Oil & Hazardous Substance Discharges/Releases, also known as the Unified Plan, as required by the Oil Pollution Act of 1990.
37.	State Management Responsibilities The Alaska Department of Natural Resources (DNR) and its subdivisions have the primary management responsibility for all state-owned lands, waters, and surface and subsurface resources, except for fish and wildlife. This authority includes the beds, waters, tidelands, and shorelands of navigable waters throughout the state. The DNR Division of Mining, Land, and Water manages the State's water and land interests within and adjacent to the exterior boundaries of federal lands, including conservation system units.
38.	Mineral Management Resource exploration and development is a priority of the State, and therefore we request that BLM consult with the DNR before taking any actions that could negatively impact resource exploration and development, especially on State owned and state-selected lands. We request that BLM recognize the State's need and intent to facilitate resource exploration and development of mineral resources in the planning area. There

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	are many mineral prospects and operating mines located within the planning area. We request that access for transportation and utility infrastructure to these mineralized areas be considered. Planning for BLM lands located near or adjacent to these mineralized areas should take into account the need for flexibility in planning for access and supporting infrastructure based on land ownership and physical characteristics of the terrain. Year-round access within the planning area utilizing existing access trails as much as possible, will reduce the need for large helicopters to move supporting equipment and materials as exploration and development progresses.
39.	Mineral Management Construction materials resources are required for the development, maintenance, and expansion of such mining-related infrastructure, as well as roads, pipelines, airports, businesses, residences, utilities, communication facilities, and similar types of projects required to support other existing and planned development. Transport of materials over any significant distance (e.g., more than 1000 ft from an existing road) quickly makes their use cost prohibitive, thus lack of materials sites within a reasonable distance from projects effectively prevents maintenance and development activities that are necessary and/or desirable. BLM acknowledges that "BLM-managed lands will be critical to developing the communications, transportation, and utilities infrastructure needed to support mining development on State and Native lands in the Planning Area" (Preparation Plan, Planning Issues and Management Concerns, subsection C. Mineral Development). Recognizing the critical need for construction material resources wherever infrastructure is present or planned, we strongly recommend that the BSWI RMP explicitly address the issue to facilitate appropriate development and maintenance activities wherever they may occur: • In addition to the specific areas of high mineral potential, consideration should be given to identifying prospective transportation corridors and related infrastructure, and the construction materials resources (sand and gravel, fill, etc.) that are required to support permissible development. • Similar consideration should be given to identifying such critical resources in any areas in which infrastructure currently exists in support of local communities, as well as their anticipated expansion and access needs. • Consider adding a clause to the BSWI RMP explicitly stating that areas within 1000 feet of existing and planned infrastructure and community development should be managed for materials resources in order to facilitate necessary maintenance and appropriate development. In addition, we ask that BLM consider removing the word "protection" when posing questions about resource development in this RMP, as it implies that mitigation measures and reclamation requirements would not be stipulated to and enforced.
40.	Mineral Management Transportation of equipment to mine sites should be routed in uplands to the maximum extent practicable to avoid crossing waterbodies and/or require winter transport, particularly when crossing fish-bearing waterbodies. Stream substrate of crossing locations should be composed predominately of cobble. For all-season routes trails should be required to be developed and maintained to support given equipment, and other resource users should have access along these trails. Consultation with ADF&G's Division of Habitat and/or Title 16 Fish Habitat Permit is required for all work below the ordinary high water (OHW) mark, including stream crossings of fish-bearing water bodies and to determine if a permit is required.
41.	Mineral Management The BLM Technical Report 60 (Kurtak and others, 2010) is a thorough evaluation of the identified mineral resources in the region. The technical report should be a primary resource for outlining the areas that should have mineral resource development. Those areas that are designated as having a high and medium locatable mineral potential (Figure 32, Kurtak and others, 2010) are likely to be targeted for active exploration, and possible future mineral development over the next 10 to 20 years. In addition, areas that are currently designated as having a low locatable mineral potential (Figure 32, Kurtak and others, 2010) may be targeted for mineral exploration, based on evolving mineral exploration target models and new

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	geophysical, geochemical, and geologic data. Special consideration should be given to strategic and critical mineral occurrences; there are a number of terranes with potential for rare-earth elements (REE), platinum group elements (PGE), and antimony in the region. Comments on Technical Report 60 (Kurtak and others, 2010): This is an excellent research product and thorough study of identified mineral resources in the region. It would be good to see this type of study completed as a routine practice for all BLM area plans. Despite the completeness of the technical report and the high competency of the authors, there are some shortcomings: • This is a formal report that has long-term repercussions for management of mineral resources on public lands; given this importance, an external technical peer review by agency mineral resources geologists from either the U.S. Geological Survey (USGS) or the Alaska Division of Geological and Geophysical Surveys (DGGS) may be appropriate. It may be that this review was completed and we are not aware of it, in any case we do not see an explicit acknowledgement of or reference to a peer review in the text.' • Although the existence of geochemical data is mentioned in the text (p. 22) the data do not appear to be a factor in the algorithm (Figure 31) that is used to designate areas of relative locatable mineral potential. Strongly recommend that a statistical treatment of geochemical data be completed, and areas with anomalous geochemistry for various deposit types be added into the mineral potential algorithm. • Agree with using published mineral terrane maps as an aid to determine mineral potential (p. 47), however, the mineral terrane maps used are small-scale derivative products and are at least ten years old and may not be accurate enough to portray mineral potential at the scale that this report uses (one-square-mile blocks). It might be more precise to use recently published USGS compilation maps at 1:250,000-scale in combination with geophysical maps to outline areas with favorable geology for each deposit model type. • New research is being conducted by the USGS and DGGS in the region, and could be used to better define the final mineral potential designations to be used in the BSWI RMP.
42.	The development of the Donlin Gold Mine Environmental Impact Statement (EIS) and the BSWI RMP seem to be developing on parallel time lines. As BLM is the lead for the RMP and also serves as a Cooperating Agency for the Donlin Gold EIS it is incumbent upon BLM to make sure that each respective team is informed of where each project is at and that proactive steps are being taken to make sure that each process is not unnecessarily delayed or impacted. In general, information should be shared between the two projects and studies and any other necessary considerations that could impact the projects down the road should be thought out and planned ahead of the time. These projects both demand a lot of time and resources and BLM should ensure that those resources are not wasted or used ineffectively. Please explain how these two processes are being coordinated internally (within BLM) and what steps are being taken to ensure that time, money, and resources are not potentially being wasted by unnecessary impacts, by Federal and State agencies, tribal entities, public stakeholders, and other entities working on the Donlin Gold EIS. We recommend BLM add Mineral and Energy resources to the BSWI Issues to be Considered, list of Management of Resources.
43.	In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the most commonly expressed issues. • The plan must be developed in accordance with the provision of ANILCA. • DNR Area Plans establish management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for these areas.

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	• The State requests that BLM recognize existing state authorities relative to fish and wildlife management. • If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas. • State and native selections should be identified in the plan. • Reasonable consistency or compatibility in terms of management will minimize user conflicts and confusion. • If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access. • The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple uses. The State appreciates efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible. Thank you for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.
44.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
45.	Climate Change Mineral Development Climate change is altering the way the world works and forcing us to re-evaluate everyday life. Mining is no different. According to the DNR's report to the Alaska Climate Impact Assessment Commission, mining practices will pose operational and regulatory challenges in the state of Alaska. Among the issues listed is the cost associated with mineral development. (DNR, 2008) We acknowledge the history of mining in Alaska's Interior and it is well understood that the remote and seasonal nature of mining practices contributes greatly to the associated costs. Increasing energy costs will likely increase the costs of all mineral development in Alaska but we are wary of decreases in regulations as incentive. As areas become more costly to develop, environmental and operational exceptions may become more commonplace as an incentive or simply to offset costs. According to the 2007 Bay Proposed Resource Management Plan and Final Environmental Impact Statement, the BLM states that: 'An area in the beginning stages of development could be become un-profitable by imposing restrictive guidelines.' The BLM goes further to states that these restrictive guidelines could result in the 'reduction in lease values resulting from application and regulations and increased operating costs.' Bay PRMP/FEIS at 2-81. Reducing standards for any portion of mining operations and reclamation is a practice that we discourage. We advise that cost should not be a factor when reasonable standards have been set, particularly in a high metals market. Quotes regarding increases in mineral interest and development with increases in market prices can be found in the 1984 Steese National Conservation Area (NCA) management plan. These same statements can be seen throughout the various Resource Management Plans within the state. The increased market values for nearly all metals are sparking interest in development. Any increases need to be reviewed for impacts with climate change as a portion of the criteria for safe development and operating practices.
46.	Climate Change Mineral Development As a result of the ongoing and anticipated changes, mining regulations and operation standards need to reflect our changing environment. An example listed by the DNR is the need to engineer and monitor tailings dams for changing permafrost conditions. The stability of formerly reliable resources is shifting and may result in catastrophic discharges of pollutants. The BLM must work to scrutinize mining proposals for operational changes to ensure best practices and prevent both health hazards and expensive reclamation that would be a burden to the

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	public. Further recommendations from the DNR include accommodating changing patterns in precipitation either from increases in yearly precipitation or elevated seasonal flood risks. Placer mining in particular is anticipated to have amplified erosion due to thawing permafrost for which DNR prescribes monitoring – which should be considered the minimum action to be taken and should include operation alterations. Travel associated with mineral activities will require closer monitoring to protect permafrost and sensitive vegetation as well as prevent increases in erosion. 'Shortened winter travel seasons will adversely affect mineral and energy exploration and development programs, requiring the agencies to monitor the freeze-up and break-up periods ever more closely.' (DNR, 2008) Monitoring will require notification and posting for snow machine and OHV travel restrictions during these time periods.
47.	The Kuskokwim River Current Management and Health of the River The Alaska Department of Fish and Game manages the Kuskokwim River for commercial, sport subsistence, personal use and research. They also are a participating member in the Kuskokwim River Salmon Management Working Group, where federal and state fisheries managers meet with local users to cooperatively manage for salmon in the river. Subsistence use is given a priority in the management of the river as stated on their website, "Subsistence uses of wild resources are defined as 'noncommercial, customary and traditional uses' for a variety of purposes. These include: Direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption (AS 16.05.940[32]). Under Alaska's subsistence statute, the Alaska Board of Fisheries must identify fish stocks that support subsistence fisheries and, if there is a harvestable surplus of these stocks, adopt regulations that provide reasonable opportunities for these subsistence uses to take place. Whenever it is necessary to restrict harvests, subsistence fisheries have a preference over other uses of the stock (AS 16.05.258)."13 Additionally, the Kuskokwim River Watershed Council was an organization formed to protect the Kuskokwim River. The council provides management guidance to maintain and promote traditional subsistence life for the residents. The vision is to manage the land, water and air healthy for people, animals and plants, to pass on to the next generations. There are several mining operations located within the Kuskokwim River watershed, but the one of greatest concern is the Donlin Creek prospect located on private land within the Iditarod Block. This large scale gold mine will require significant infrastructure for mine development and maintenance during the life of the mine, as well as, long into the future to manage the contaminated water, known as tailings ponds, for which water treatment will be necessary in perpetuity. BLM needs to consider this project as it impacts water quality and quantity in regards to fish spawning and rearing habitat, subsistence use and mine infrastructure fragmenting the intact ecosystem.
48.	The Yukon River Current Management and Health of the River The Yukon River is fundamental to the Bering Sea ecosystem as it provides nutrients through sediments and dissolved solutes. Processes that influence the Yukon therefore influence the Bering Sea. (Barbets et al, 2000) Despite its remoteness and perceived invulnerability, the Yukon River Basin is changing as a result of various sources. The area is experiencing warming on average of 1.4 degrees Fahrenheit per decade which has great impacts on water quality and disease occurrence for resident and anadromous fish species. (Chapman and Walsh, 1993) Salmon and other fish species require adequate water quality for their survival as does the abundant wildlife present in the Yukon River basin. (Barbets et al, 2000) Yukon River Ichthyophonus (Ick) has increased in prevalence in Chinook salmon populations of the Yukon River. The prevalence of the disease increases with higher water temperatures in the later summer months, the proliferation of the parasite is shown to be linked to these higher water temperatures. The source of the infection is unknown and juveniles do not appear to be impacted. Resident fish, such as the burbot, that feed on the returning salmon

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	are suffering increased rates of mortality and may become an avenue for juvenile Chinook infection. (Kocan et al, 2004) The Yukon River Chinook are currently listed as a 'stock of yield concern' by the Alaska State Board of Fisheries under the guidelines established by the Sustainable Salmon Policy. This summer subsistence fishing has been restricted in Alaska. Canadian access has been limited to aboriginal uses only – who have voluntarily restricted their harvest for the future health of the species. Further impacts on water quality are identified but not quantifiable and include: impacts from migration of pollutants from middle latitudes, mining activities and previous military occupation. (Barbets et al, 2000) The Yukon River Inter-Tribal Watershed Council found, in 2002, that western water quality standards and guidelines, in Alaska and Canada, were not acceptable for Tribes and First Nations. YRITWC recommends that a holistic standard should be developed: Even though streams and rivers may fall within the stated standards and guidelines at a given time, when sampled, the watershed may not be healthy in the holistic sense of providing an environment for the flora and fauna of the watershed. (YRITWC, 2002) In talks with Elders the YRITWC has found that there are observations of: [D]ecrease in fish and wildlife populations, changes in animal distribution and an overall sense the watershed is unhealthy. Elders have noted changes in not only anadromous salmonid populations but also in freshwater fish such as the winter staple whitefish, as well as an increase in the incidence of tumors and cysts in both fish and wildlife, which is also indicative of the change in human health. The health of the indigenous peoples of the watershed is related to the health of the subsistence foods, which they eat. (YRITWC, 2002)
49.	Wild and Scenic River Goals Goal 1: Conduct and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of damages to WSRs by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: In order to maintain the values for which the river was designated BLM must more strictly manage placer mining and water quality standards. Goal 4: Water quality standards for all proposed and currently designated WSR must be consistent with efforts to restore salmon populations on the Yukon River and its tributaries.
50.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.
51.	Mining (locatable) Locatable minerals (i.e., gold and copper) are known to occur throughout the planning area. For lands that are open to the location of lode, placer and mill claims the claimant has statutory authority under the mining laws to ingress, egress, and development of those claims. This authority means that

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	those areas open to mineral entry for the purposes of exploration or development of locatable minerals cannot be unreasonably restricted. BLM can, however, manage for strong protection by requiring stringent Required Operating Procedures and Stipulations without using discretionary language to allow for exceptions in operations. Further, abandoned placer mining operations occur within the planning area. This includes equipment and structures associated with the abandoned operations that must be addressed.
52.	Roads, General Flooding is another major effect of roads on tundra that must be considered. Drainage patterns on flat tundra, such as that found in parts of the proposed project area, can be complex, with many unconnected drainage systems.19 Culverts are difficult to position, and even when positioned properly are often frozen during spring melt.20 The Corps must take into account the environmental impacts of such flooding, as well as other indirect effects from roads such as the introduction of nonnative species. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Crude oil transmission pipelines without roads may not result in increased air traffic as there are federal requirements for monitoring rights of way (biweekly monitoring with aerial monitoring used most commonly, see 49 CRF 195.412(a)). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring, although its effectiveness needs to be evaluated. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. a) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including 1) if technically feasible, the continuous capability to detect a daily discharge equal to not more than one percent of daily throughput; 2) flow verification through an accounting method, at least once every 24 hours; and 3) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. b) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. However, BLM must also address any requirements for gathering lines within oil fields.
53.	Mineral Management Goals Within the Bering Sea Western Interior area 125,444 acres of the lands open to Appropriation and Disposition under the Public Lands Act are also open to mineral leasing which include oil and gas, coal, geothermal and peat (Southwest Management Framework Plan 1981). Lands encumbered by withdrawals are not open to mineral entry. There are areas of high mineral potential in the eastern and central portions of the Planning Area in a mineral belt extending from northeast to southwest. We encourage BLM to carefully consider future locatable and leasable mineral development. The listed goals below will provide BLM a framework to use for decision making. Goal 1: Institute and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of further damages important to aquatic habitat by prohibiting stream diversion and enforcing reclamation standards for all existing

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	mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: Many of the rivers and creeks could be serving as a drinking water source for villages throughout the Yukon River and Kuskokwim River basins such as the Nulato River. BLM needs to inventory all streams and rivers used as drinking water sources and manage them for drinking water quality. Goal 4: Increase protections from development within proposed Wilderness Study Area recommendation designations. This includes considerations for improving operations standards as technology has improved for development, closures and limitations. Goal 5: Appropriate construction should be timed to avoid sensitive life stages for fish. Goal 6: Monitoring before and after development to be able to measure the impacts of development. Goal 7: Establish adequate perimeters for seismic activity to prevent damage to fish bearing streams.
54.	<u>Mineral Management Goals Recommendations:</u> • Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. • BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. • BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. • The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. • BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. • The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. • The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands. • The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. • The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.

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55.	Mineral Management Goals Recommendations: -The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design, engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources. - Given that tailings ponds must often last in perpetuity, the BLM should adopt the most rigorous performance standards for design, construction and maintenance. The RMP should adopt a policy to require that tailings ponds built on BLM land meet the requirements of Class 1 facility, and be designed for the maximum credible earthquake, as recommended by the ICOLD guidelines.
56.	Dear BLM, Please consider strong protective management for the Central Yukon and Bering Sea Western Interior planning areas. We live in a time of uncertainty for our landscapes and the animals that rely on them. Further, people living in the area depend on the land and animals so as we look into the future of these planning areas a long term conservation strategy will serve our public lands better than a short term mining or oil and gas development investment.
57.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
58.	MINERAL DEVELOPMENT AND ANCSA (D)(1) WITHDRAWALS Section 17 (D)(1) in the Alaska Native Claims Settlement Act (ANCS) authorized the Secretary of the Interior to withdraw and reserve public lands for study and classification. This was done through a series of Public Land Orders (PLOs) issued between 1972 and 1975. A substantial portion of the planning area is subject to the seven withdrawals mandated under ANCSA 17(D)(1), 43 U.S.C. §1616(D)(1). These withdrawals close parts of the planning area to mineral entry and location under the 1872 mining act and to mineral leasing under the mineral leasing laws. PLOs 5180 and 5186 allow for metalliferous mineral location. About 60 percent of the Bering Sea Western Interior planning area, or 9.6 million acres, is open to location of mining claims for metalliferous minerals. The remainder of the area is closed to new mining claims although there are valid existing claims that predate the withdrawals in some areas. Most, if not all of the BLM lands in the planning area are currently closed to mineral leasing and the entire planning area is open to sand and gravel sales.

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	The Public Land Orders in effect in the Bering Sea Western Interior planning area are: • 5169, 5173, 5179, 5184, 5254 – all providing withdrawals from location and entry under the mineral laws and from mineral leasing under the leasing laws; and • 5180 & 5186 – providing withdrawals from entry under the mineral laws (except location for metalliferous minerals) and from leasing under the leasing laws. The intent of the ANCSA (D)(1) public land order was to limit appropriations of the land in order to complete inventories of resources and assessment of values which would allow for orderly development of land use and management objectives for present and future public needs. There are currently millions of acres in the Bering Sea Western Interior planning area currently governed by these public land orders and the Secretary of the Interior has the authority to modify or revoke the withdrawals. The Bureau of Land Management must consider that any decision which leaves millions of acres of the field office open to mining will preclude the effectiveness or long term viability of conservation measures due to the potential that those conservation measures could be jeopardized by mining development, regardless of how low the potential for development is currently.
59.	MINERAL DEVELOPMENT AND ANCSA (D)(1) WITHDRAWALS Recommendation: Wholesale lifting of the (D)(1) withdrawals is not recommended for the following substantive reasons: • The original reason for the ANCSA 17 (D)(1) withdrawals still remains as final selection and conveyance of selected lands to Native Corporations and the State of Alaska has not been completed; • The State of Alaska is over-selected in its land allocation, meaning that millions acres of federal land have been selected in excess of the State's lawful allocation. The State has not received conveyance through tentative approval or patent from the federal government for these lands as the state must decide which acres it will release from selection; • Wholesale lifting of millions of acres of withdrawals on public land is irresponsible management that encourages development speculation; and • It has been shown legally possible to retain (D)(1) withdrawals as was done in BLM Alaska's East Plan.
60.	CONSEQUENCES OF MINING Hardrock mining can have significant adverse impacts on subsistence use, fish and wildlife habitat, water quality, and other important land uses. According to the Toxic Release Inventory, compiled by the U.S. Environmental Protection Agency, hardrock mining is the largest source of toxic pollution in the United States.19 The impacts of hardrock mining to fish, and the inadequacies of the 1872 Mining Law to protect aquatic resources, are documented in a 2010 scientific article in Fisheries.20 Impacts to water quality from modern hardrock mines are also documented in a 2006 study, which compared water quality predictions during the permitting process with water quality impacts after mining commenced. It found that: • 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). • 76 percent of mines studied in detail failed water quality standards due to mining activity. • Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail. A 2013 study reviewed the track record of water quality impacts at operating U.S. copper mines, resulting from pipeline spills, failure to capture and

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	control mine seepage, and tailing impoundment failures.21 These mines represented 89% of U.S. copper production in 2010 – the most recent data available by the U.S. Geological Survey at the time of the report. The report found that 100% of the mines (14 out of 14) experienced at least one pipeline spill or other accidental release. At 13 out of 14 mines (92%), water collection and treatment systems failed to control contaminated mine seepage, resulting in significant water quality impacts. At 4 out of 14 mines (28%), partial tailings impoundment failures occurred, and at 9 out of 14 mines (64%) tailings spills occurred.
61.	CONSEQUENCES OF MINING Mineral development in Alaska demonstrates that major modern mine operations can directly affect fish and wildlife and subsistence resources. For example, changes in federal regulations that revised the definition of "fill," currently allow mine waste disposal in waters of the U.S. This regulatory change has severe and lasting consequences for aquatic life. At the Kensington Mine, mine waste disposal in Lower Slate Lake has eliminated the resident fish population. At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orange-colored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River, approximately 25 miles downstream from the mine, were discovered by the public.22 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l.23 This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.24 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.25 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.26
62.	Public Land Orders & Mining The majority of BLM-managed land in the Planning Area is encumbered by withdrawals. The two principle withdrawals affecting the Planning Area are Public Land Orders (PLO) 5180 and 5184, both dated March 9, 1972. PLO 5180, "withdrew lands …from all forms of appropriation under the public land laws … and from location and entry under the mining laws (except locations for metalliferous minerals) … and from leasing under the Mineral Leasing Act of February 25, 1920 … and … reserved [the lands] for study to determine the proper classification of the lands … and to ascertain the public values in the land which need protection." PLO 5184, withdrew lands, "…from all forms of appropriation under the public land laws; … from location and entry under the mining laws … [and] from leasing under the Mineral Leasing Act of February 25, 1920;" and "… reserved [the lands] for study and review by the Secretary of the Interior for the purpose of classification …." Both orders further provide that "… the lands shall remain subject to administration by the Secretary of the Interior under applicable laws and regulations and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired."

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63.	Public Land Orders & Mining Recommendation: We recommend modification of Public Land Order 5180 to disallow metalliferous mineral entry for all lands currently governed by thereunder, paralleling the protections provided by PLO 5184. Further, the RMP should take a precautionary approach, and provide PLO 5184 protections for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development; • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, and SRMAs ; • Lands within ½ mile of anadromous rivers and streams; • Primary fish spawning habitat; • Community drinking water aquifers; and • All lands subject to PLO 5180.
64.	ARCTIC CONDITIONS AND MINING The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a challenging mining environment in the planning area like few in the world. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible, to reclaim due to slowed vegetative and geologic adaptations. For example, problems at the Rock Creek Mine near Nome were compounded by the effects of operating in extreme arctic weather conditions, resulting in unsafe and environmentally hazardous conditions.27 A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. The water balance model showed that Stage II construction was required to prevent the dam from overtopping in the summer of 2009. Harsh weather conditions were also a factor in the overtopping of the tailings impoundment at the Nixon Fork Mine in 2012. According to the mine operator, in October 2011, staff decided to forego gage observation at the tailings impoundment until spring melt because the gage was frozen in ice. In March 2012, mine personnel noticed evidence of dam overtopping. On inspection of the tailings dam it was found that the engineered spillway for the dam had been frozen over by a previously undiscovered tailings water release. The ice prevented the spillway from operating as designed, such that the later spill overtopped the dam at another location not designed for overflow. Recommendation: The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with Arctic weather conditions.
65.	Haul Roads: BLM must manage mine operations and access/haul roads to ensure that public lands are protected. For example, trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.28 Studies have shown that the heavy metal dust has contaminated land up to 25 km north of the road. Although the company that operates the mine has recently made operational changes to reduce releases of “fugitive dust,” the releases have not been entirely eliminated and there is no indication that the existing contamination will be remediated. Much of the area between the port and the mine is traditional subsistence hunting and berry-gathering land, and some of the area is embraced within the boundaries of the Cape Krusenstern National Monument. Recommendation: The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines,

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	along transportation corridors that could affect public lands.
66.	Water Quality: BLM must ensure that water quality is not degraded by mining operations authorized on public lands. A number of recent scientific studies demonstrate that modern mining operations, operated under the existing federal regulations, consistently fail to protect water quality. A 2005 study reviewed modern hardrock mines throughout the west to determine whether water quality predictions during permitting matched water quality impacts.29 It found that: • 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance); • 76 percent of mines studied in detail exceeded water quality standards due to mining activity; and • Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail Similarly, a report commissioned by the U.S. Fish and Wildlife Service, Fairbanks Office on Acid Mine Drainage and Effects on Fish Health and Ecology, found significant impacts to fish resources from acid mine drainage.30 It concluded that, "Pre-mine characterization of the risk of AMD formation is often inaccurate leading to notable post-mine risk to fisheries. Fisheries have been impaired worldwide by releases of acid mine drainage from mining areas. The mining industry has spent large amounts of money to prevent, mitigate, control and otherwise stop the release of acid mine drainage using the best available technologies, yet acid mine drainage remains as one of the greatest environmental liabilities associated with mining, especially in pristine environments with economically and ecologically valuable natural resources. Problematic to the long-term operation of large scale metal mines is the recognition that no hardrock surface mine exist today that can demonstrate that acid mine drainage can be stopped once it occurs on a large scale." Recommendation: The RMP should close areas to mining that may be susceptible to acid mine drainage problems to preclude any irreversible impacts to public lands.
67.	Drilling and Water Quality: BLM must ensure that exploration activities, such as drilling, do not adversely impact water quality, fisheries and subsistence resources. Although many agencies assume that exploration drilling will have no adverse impact on water quality, a recent study of water quality impacts from exploration drilling at the proposed Pebble Mine site found that drill fluids were not confined in the unlined sump containment system, and were documented flowing into a wetland at levels exceeding aquatic life standards.31 According to the report, water quality samples were collected from the drill waste collection sump, from a wetland pool, and from a groundwater spring 30 meters down gradient of the sump system. Analyte concentrations exceeded water quality standards, sometimes by orders of magnitude in samples from the sump and wetland pool for: aluminum, cadmium, copper, iron, lead, manganese, silver, zinc, diesel range organics, and residual range organics. For example, the most stringent aquatic water quality standard for total copper (at 25 mg/L hardness) is 2.85 g/L, total copper in the unlined sump was 435 g/L and in the wetland pool was as high as 137g/L, levels lethal to aquatic life. According to the report, high metal concentrations documented in the sump and wetland pool samples are likely attributable to mineralized drill cutting and rock flour while elevated diesel and residual range organic concentrations likely originate from fuels and or/muds used in drilling. Onsite disposal of drill fluids in unlined sumps is permitted by the State of Alaska at exploration sites. Extensive exploration, with hundreds of drill sites, could result in broad impacts. Recommendation: BLM must require management practices that are necessary and appropriate to prevent unnecessary or undue degradation of the

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	land, its resources and the environment, and avoid adverse impacts to or attain the least adverse impact possible of the land, its resources and the environment.
68.	Financial Assurance: BLM must require financial assurance for mine operations to ensure that reclamation is completed, and that funds are available for clean-up should a company fail to conduct mine clean-up. The State of Alaska authorizes the use of corporate guarantees as financial assurance for reclamation for large-scale mine operations. Corporate guarantees are a form of self-insurance in which a corporation provides a written promise to fulfill its legal obligation to reclaim. Unfortunately, no hard assets, cash, or cash equivalents, stand behind the "guarantee." Federal agencies often defer to state governments to calculate and hold the financial surety for mine operations, even those located on federal lands. Recommendation: To ensure reclamation and prevent unnecessary and undue degradation, the BLM must require the calculation and collection of an independently guaranteed, liquid, form of financial assurance sufficient to cover the full cost of reclamation as conducted by a third-party for any large-scale mining operations on BLM land. It should incorporate the reclamation bond calculations within the NEPA process, and provide for public comment.
69.	Analysis of Major Mine Operations: In recent years, there are two major hardrock mines in Alaska, the Rock Creek and Nixon Fork mines, where an Environmental Assessment (EA) was conducted, rather than an Environmental Impact Statement (EIS). In both cases, impacts occurred that could have been avoided with more thorough environmental review, design, mitigation, and planning. At the Rock Creek Mine near Nome unanticipated mechanical problems occurred including an electrical failure with the milling circuit and ongoing concerns with the efficiency of the process and recovery circuit. These issues were compounded by the effects of extreme arctic weather conditions. A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. There was no spillway in the design configuration of the dam at any operating stage before closure. The water balance model showed that Stage II construction was required to prevent the dam from overtopping in the summer of 2009. Operations at the mine and mill were suspended. It is apparent the design and construction oversight for this mine was flawed.33 The mine operated for approximately two months before shutting down due to design flaws in their processing circuit. Two workers were killed during mine construction. Water almost overtopped the tailings dam, and the dam itself was not designed to impound water, only tailings solids. Dam construction and operation was raised by the public as an issue that needed further review, and should have been reviewed as a part of an EIS. The Nixon Fork Mine, which began operations in July 2011 as a no discharge facility, experienced an overflow of contaminated water from the tailings pond in March 2012 – less than a year later. The mine discontinued operations in 2013, stating that it needed a revised operational plan and additional financing. The EA did not evaluate the potential impacts of tailings pond overtopping. The EA did not evaluate a range of alternatives, as required by an EIS, eliminating the possibility to "avoid adverse impacts to or attain the least adverse impact possible." Recommendation: The BLM should require an Environmental Impact Statement (EIS) for major mine projects proposed on BLM land within the RMP. It is inappropriate to use an Environment Assessment for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. Recommendation: The BLM should require an Environmental Impact Statement (EIS) for major mine projects proposed on BLM land within the RMP. It is inappropriate to use an Environment Assessment for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides

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	essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible.
70.	Analysis of Major Mine Operations: Recommendation: The BLM should require an Environmental Impact Statement (EIS) for major mine projects proposed on BLM land within the RMP. It is inappropriate to use an Environment Assessment for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible.
71.	Climate Change and Mining: BLM must ensure that mining activities are effectively designed, engineered and managed to protect downstream resources and preclude unnecessary and undue degradation, given the increased frequency and intensity of storm events associated with climate change. Designing mine facilities for a 24-hour, 100-year storm event is no longer sufficient to protect downstream resources. A presentation at the 2012 Mine Design, Operations & Closure Conference by the Bureau of Land Management (BLM) identified significant risks during mine development, operation, and post-closure from extreme weather conditions stating that, "...the reality is the industry is making closure, reclamation and drainage treatment predictions based on a historic climate that no longer exists…"35 The presentation provides a case study of the Zortman Landusky mine, located partly on BLM lands in Montana. A severe storm event in 2011 at the mine, which was designed for a 24-hour, 100-year storm event, resulted in failure of waste rock dump and seepage collection system, and the release of 75 million gallons of untreated, acidic water down several streams.36 The risks are particularly significant during development, when storm-water features haven't yet been installed, and during post-closure for all mine facilities, particularly tailings impoundments that must be managed in perpetuity. Recommendation: The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
72.	Thawing Permafrost and Mining: BLM must consider the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands. Considering the effects of climate change, mine facilities, particularly tailings ponds and other waste containment structures that must be maintained in perpetuity, are at significant risk of long-term failure if located on permafrost that is vulnerable to temperature change.37 Early detection of permafrost disruption is critical in avoiding catastrophic failures. At the Red Dog Mine, the Final Supplemental Environmental Impact Statement identifies a range of potential significant impacts associated with permafrost melting.38 If permafrost melts, and the above mentioned changes occur to the local hydrology in the project area, mining activities would likely have much different and possibly greater impacts on groundwater. Some of the possible effects of permafrost degradation on mining activity impacts are as follows: • Seepage from the tailings dam may increase substantially if permafrost does not exist as a confining layer; • Groundwater may rise to a level where upwelling of groundwater into the tailings impoundment may occur; • Groundwater flow into the pits might increase substantially because the interconnectedness of water-bearing fault blocks and fractures in the bedrock would be much greater without the presence of permafrost; and • Pit dewatering activities would impact larger areas and cause a more extensive drawdown cone, possibly influencing stream and spring flows in the project area.

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	According to the Red Dog Mine FSEIS, estimating the exact impacts of a disappearing permafrost zone is extremely difficult. Continued monitoring of the climate and permafrost zone as well as groundwater levels will provide valuable data to resolve this uncertainty and better predict potential impacts. Recommendation: The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design, engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources.
73.	Tailing Pond Integrity and Mining: The BLM must require that tailings ponds be constructed to ensure protection of downstream resources. From a performance standpoint the most significant difference in dam safety requirements between a Class I and Class II dam is the size of the earthquake the dam is required to withstand. 39 Class II dams must withstand seismic events with return periods of 1,000 – 2,500 years, and Class I dams 2,500 years to the Maximum Credible Earthquake40. Note that it is not mandatory to use the Maximum Credible Earthquake as the Maximum Design Earthquake for a Class I dam. According to the current International Commission on Lard Dams (ICOLD) guidelines, large dams have to be able to withstand the effects of the so-called maximum credible earthquake (MCE). This is the strongest ground motion that could occur at a dam site.41 Recommendation: Given that tailings ponds must often last in perpetuity, the BLM should adopt the most rigorous performance standards for design, construction and maintenance. The RMP should adopt a policy to require that tailings ponds built on BLM land meet the requirements of Class 1 facility, and be designed for the maximum credible earthquake, as recommended by the ICOLD guidelines.
74.	CONCLUSION We encourage BLM to consider our recommendations concerning improvements for government to government consultation and public involvement. The bureau's arduous task of creating a thorough and balanced Resource Management Plan in this vast region, long valued for its natural qualities and significance to local communities, can be accomplished if the agency employs all tools available to protect the ecologically and culturally important places. Retention and strengthening of the ANCSA (D)(1) withdrawals in key areas will provide important protections for community and ecological values. Creating real protections through layered administrative designations for lands with wilderness characteristics, critical habitats and other important natural values will be key to preserving the character and biodiversity of the Bering Sea Western Interior planning area while still allowing for development in suitable areas. During scoping, the Anchorage Field Office demonstrated a commitment to meeting the many layers of lawful dictates of Resource Management Planning. We commend BLM on this approach and look forward to continued and expanded communication in the development of the draft plan.
75.	BLM should prioritize the long term health and maintenance of the WACH and the habitats upon which it depends within the Planning Area to ensure the health of the herd and subsistence opportunities for the communities of northwestern Alaska. With the herd currently in decline, habitat conservation in the next decade will help promote resiliency of the herd. Conservation of caribou habitat can accomplished by: a) Prohibiting industrial activities, including mining, in the core seasonal habitats (Figure 2). b) Avoiding disturbance to caribou as they engage in their annual seasonal movement and avoid fragmentation of their range (Figure 3), including

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	minimizing impacts from industrial activities and transportation, recreational users and other forms of non-subsistence development and travel. c) Identifying and recommending permanent, administrative (e.g. ACEC) or seasonal protection measures needed for important habitats and subsistence use areas for lands with the planning area. d) Prohibiting dust-control treatments (e.g. chemicals) that may be harmful to caribou, their habitat and people on roads through BLM managed lands.
76.	These scoping comments are being submitted on behalf of the Native Village of Georgetown. The Native Village of Georgetown is situated in southwest Alaska in the valley of the middle Kuskokwim River amid the Kilbuck-Kuskokwim Mountains, just up river from the village of Crooked Creek. The village is located near the convergence of the Kuskokwim River and the George River, within the area in western Alaska that encompasses approximately 62 million acres of land, including 10.6 million acres managed by the BLM, for which a new land use plan is being developed. The Georgetown Tribal Council (GTC) is a federally recognized Tribal governing body for the Native Village of Georgetown and works closely with Federal agencies, Tribes and Regional Native organizations in the Kuskokwim River region in an effort to protect our environment and human health. The members of the Native Village of Georgetown wish to ensure the continued health of the Kuskokwim River and responsible development in order to protect its subsistence resources and the environment of the Kuskokwim River watershed. It is our understanding from the Bering Sea –Western Interior RMP public documents and reports that some issues and management concerns the new RMP will address include, but are not limited to: • Management of human uses and activities such as recreation and mining; • Protection of areas with critical or unique values such as wild and scenic rivers; and • Management of natural and cultural resources such as wildlife, fish, cultural sites, and vegetation. It is our intention to state clearly the comments we have in relationship to those issues listed above.
77.	<u>A. Impacts to salmon stocks;</u> In analyzing the impacts of the proposed management action, BLM must analyze the impacts to Chinook, summer and fall Chum, Coho, Sockeye and Pink salmon in the Yukon River and its tributaries. Analysis should include impacts from increased mineral development including but not limited to: leaching, direct exposure to chemicals at various stages of the salmon lifecycle, and impacts to habitat from mineral development itself and the associated roads. Direct and indirect impacts to salmon should be analyzed for each management alternative, including changes to (d)(1) withdrawal status. Yukon River salmon runs experienced run failures in 2000 and 2001. While chum salmon runs have been high in recent years, Chinook salmon have continued to struggle towards recovery. Because the Chinook salmon of the Yukon River spawn in both the United States and Canada, a bilateral treaty governs these runs. The Yukon River Salmon Agreement (YRSA), an annex to the Pacific Salmon Treaty sets out specific requirements and the Yukon River Panel, composed of United States and Canadian representatives, sets specific escapement goals for Canadian bound fish. Despite drastic conservation measures, both in Alaska and Canada, escapement goals have not been met for five of the last seven years Impacts to salmon stocks should be analyzed in light of the extremely fragile state of this salmon run, and its extreme importance to subsistence and commercial users (discussed below). The BSWI RMP should embrace a precautionary approach, limiting additional mineral and other development

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	unless it can be shown that there will be absolutely no detrimental impacts to salmon populations. To ensure that impacts on salmon stocks are adequately analyzed, both the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G) should be consulted on this EIS because of their expertise in and shared management responsibility for Yukon River salmon populations.
78.	The EIS should address the cumulative impacts to Yukon River salmon stocks Finally, the impacts of reasonably foreseeable development on non-BLM land on Yukon River salmon should be considered. Other development projects including but not limited to the oil & gas development of the Yukon Flats National Wildlife Refuge/Doyon Land Exchange and the Donlin Creek mine, if developed, will have their own impacts on Yukon River salmon runs which must be considered in combination with the impacts under the BLM RMP.
79.	These scoping comments are submitted on behalf of Earthworks, a national conservation organization, with 500 Alaska members. Our mission is to protect communities and the environment against the adverse impacts of hardrock mining. The Bering Sea-Western Interior planning area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and all lands west of Denali National Park and Preserve to the Bering Sea, including Saint Lawrence, Saint Matthew and Nunivak islands. We urge the BLM to prioritize land management policies that support watershed health, subsistence use, and sustain fish and wildlife habitat in the planning process. Our scoping comments pertain to maintaining the majority of the current management for most of the lands in the Bering Sea Western Interior planning area. We also encourage the BLM to develop criteria and standards for mineral development to address the increased risks associated with the extreme weather conditions and climate change that are particularly significant in this northern region. More detailed comments are specified below.
80.	Issue A(3) Mineral Development A 2013 study reviewed the track record of water quality impacts at operating U.S. copper mines, resulting from pipeline spills, failure to capture and control mine seepage, and tailing impoundment failures.4 These mines represented 89% of U.S. copper production in 2010 – the most recent data available by the U.S. Geological Survey at the time of the report. The report found that 100% of the mines (14 out of 14) experienced at least one pipeline spill or other accidental release. At 13 out of 14 mines (92%), water collection and treatment systems failed to control contaminated mine seepage, resulting in significant water quality impacts. At 4 out of 14 mines (28%), partial tailings impoundment failures occurred, and at 9 out of 14 mines (64%) tailings spills occurred. Experience with existing mineral development in Alaska also demonstrates that major mine operations can directly affect fish and wildlife and subsistence resources. For example, changes in federal regulations that revised the definition of "fill," currently allow mine waste disposal in waters of the U.S.5 This regulatory change has severe and lasting consequences for aquatic life. At the Kensington Mine, mine waste disposal in Lower Slate Lake has eliminated the resident fish population.
81.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development

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	• All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers
82.	Planning Question: <u>How will development of long-term mining operations be managed? How will the BLM ensure that mine plans are adequately designed, operated and reclaimed to withstand the extreme arctic conditions found in Alaska</u>? The harsh Arctic climate, relative humidity, and thermal fluctuations, as well as abundance of surface water and the structural composition of the earth, including permafrost and ground ice, constitute a challenging mining environment in the RMP like few in the world. Impacts of surface mining are more severe and Arctic mines are difficult, if not impossible, to reclaim due to slowed vegetative and geologic adaptations. For example, problems at the Rock Creek Mine near Nome were compounded by the effects of operating in extreme arctic weather conditions, resulting in unsafe and environmentally hazardous conditions.10 A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. Harsh weather conditions were also a factor in the overtopping of the tailings impoundment at the Nixon Fork Mine in 2012. According to the mine operator, in October 2011, staff decided to forego gage observation at the tailings impoundment until spring melt because the gage was froze in ice. In March 2012, mine personnel noticed evidence of dam overtopping. On inspection of the tailings dam it was found that the engineered spillway for the dam had been frozen over by a previously undiscovered tailings water release. The ice prevented the spillway from operating as designed, such that the later spill overtopped the dam at another location not designed for overflow. Recommendation: The BLM should put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions.
83.	<u>How will BLM manage mine operations and access/haul roads to ensure that public lands are protected?</u> For example, trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.11 Two National Park Service studies have shown that the heavy metal dust has contaminated land up to 25 km north of the road. Although the company that operates the mine has recently made operational changes to reduce releases of “fugitive dust,” the releases have not been entirely eliminated and there is no indication that the existing contamination will be remediated. Much of the area between the port and the mine is traditional subsistence hunting and berry-gathering land, and some of the area is embraced within the boundaries of the Cape Krusenstern National Monument. Recommendation: The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands.
84.	Planning question: <u>How will potential impacts to water quality associated with land and resource use and development be managed?</u> A number of recent scientific studies demonstrate that modern mining operations, operated under the existing federal regulations, consistently fail to protect water quality. A 2006 study reviewed modern hardrock mines throughout the west to determine whether water quality predictions

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	during permitting matched water quality impacts. It found that: • 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). • 76 percent of mines studied in detail exceeded water quality standards due to mining activity. • Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail. A companion report provides recommendations, or best practices, for geochemical analysis and predictive modeling to improve water quality predictions.1 Similarly, a report commissioned by the U.S. fish and Wildlife Service, Anchorage office on Acid Mine Drainage (AMD) and Effects on Fish Health and Ecology, found significant impacts to fish resources from acid mine drainage.13 It concluded that, "Pre-mine characterization of the risk of AMD formation is often inaccurate leading to notable post-mine risk to fisheries. Fisheries have been impaired worldwide by releases of AMD from mining areas. The mining industry has spent large amounts of money to prevent, mitigate, control and otherwise stop the release of AMD using the best available technologies, yet AMD remains as one of the greatest environmental liabilities associated with mining, especially in pristine environments with economically and ecologically valuable natural resources. Problematic to the long-term operation of large scale metal mines is the recognition that no hardrock surface mine exist today that can demonstrate that AMD can be stopped once it occurs on a large scale." Recommendation: The RMP should require best practice standards for acid mine drainage and metals leaching analysis and predictive modeling, which will be a required component of any NEPA analysis for mineral development on federal lands.
85.	Planning Question: <u>What management practices are necessary and appropriate to: 1) prevent unnecessary or undue degradation of the land, its resources and the environment; and 2) avoid adverse impacts to or attain the least adverse impact possible upon the land, its resources and the environment?</u> How will the BLM manage financial assurance for mine operations to ensure that reclamation is completed, and that funds are available for clean-up should a company fail to conduct mine clean-up. The State of Alaska authorizes the use of corporate guarantees as financial assurance for reclamation for large-scale mine operations. Corporate guarantees are a form of selfinsurance in which a corporation provides a written promise to fullfill its legal obligation to reclaim. Unfortunately, no hard assets, cash, or cash equivalents, stand behind the "guarantee." Federal agencies often defer to state governments to calculate and hold the financial surety for mine operations, even those located on federal lands. Recommendation: To ensure reclamation and prevent unnecessary and undue degradation, the BLM must require the calculation and collection of an independently guaranteed, liquid, form of financial assurance sufficient to cover the full cost of reclamation as conducted by a third-party for any large-scale mining operations on BLM land. It should incorporate the reclamation bond calculations within the NEPA process, and provide for public comment.
86.	<u>What type of NEPA analysis will the BLM use to evaluate the environmental impacts of major hardrock mine operations within the RMP?</u> In recent years, there are two major hardrock mines in Alaska, the Rock Creek and Nixon Fork mines, where an Environmental Assessment (EA) was conducted, rather than an Environmental Impact Statement (EIS). In both cases, impacts occurred that could have been avoided with more thorough environmental review, design, mitigation, and planning. At the Rock Creek Mine near Nome unanticipated mechanical problems occurred including an electrical failure with the milling circuit and ongoing concerns with the efficiency of the process and recovery circuit. These issues were compounded by

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	the effects of extreme arctic weather conditions. A substantially higher volume of seepage than anticipated in the design of the tailings impoundment was observed since the actual operating and construction in 2007 and 2008. There was no spillway in the design configuration of the dam at any operating stage before closure. The water balance model showed that Stage II construction was required to prevent the dam from overtopping in the summer of 2009. Operations at the mine and mill were suspended. (NovaGold Provides Update on Financial Outlook and Rock Creek Project in Alaska, November 24, 2008, www.novagold.com) It is apparent the design and construction oversight for this mine was flawed.15 The mine operated for approximately two months before shutting down due to design flaws in their processing circuit. Two workers were killed during mine construction. Water almost overtopped the tailings dam, and the dam itself was not designed to impound water, only tailings solids. Dam construction and operation was raised by the public as an issue that needed further review, and should have been reviewed as a part of an EIS.
87.	What type of NEPA analysis will the BLM use to evaluate the environmental impacts of major hardrock mine operations within the RMP? The Nixon Fork Mine, which began operations in July 2011 as a "no discharge facility," experienced an overflow of contaminated water from the tailings pond in March 2012 – less than a year later. The mine discontinued operations in 2013, stating that it needed a revised operational plan and additional financing. The EA did not evaluate the potential impacts of tailings pond overtopping. The EA did not evaluate a range of alternatives, as required by an EIS, eliminating the possibility to "avoid adverse impacts to or attain the least adverse impact possible." Recommendation: The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an EA for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible.
88.	How will the BLM ensure that mining activities are effectively designed, engineered and managed to protect downstream resources and ensure unnecessary and undue degradation, given the increased frequency and intensity of storm events associated with climate change? Designing mine facilities for a 24-hour, 100-year storm event is no longer sufficient to protect downstream resources. A presentation at the 2012 Mine Design, Operations & Closure Conference by the Bureau of Land Management (BLM) identified significant risks during mine development, operation, and post-closure from extreme weather conditions stating that, "...the reality is the industry is making closure, reclamation and drainage treatment predictions based on a historic climate that no longer exists…"17 The presentation provides a case study of the Zortman Landusky mine, located partly on BLM lands in Montana. A severe storm event in 2011 at the mine, which was designed for a 24-hour, 100-year storm event, resulted in failure of waste rock dump and seepage collection system, and the release of 75 million gallons of untreated, acidic water down several streams.18 The risks are particularly significant during development, when storm-water features haven't yet been installed, and during post-closure for all mine facilities, particularly tailings impoundments that must be managed in perpetuity. Recommendation: The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
89.	How will the BLM address the increased risk of thawing permafrost, when managing mine operations, and associated infrastructure, on public lands? According to the FSEIS, estimating the exact impacts of a disappearing permafrost zone is extremely difficult. Continued monitoring of the climate and permafrost zone as well as groundwater levels will provide valuable data to resolve this uncertainty and better predict potential impacts. Recommendation: The RMP should recognize the increased rate of thawing permafrost related to climate change, and develop criteria for the design,

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	engineering and operation requirements for mines and associated infrastructure that are located on permafrost to ensure stability of mine features, particularly for tailings ponds and other facilities that must be managed in perpetuity. The RMP should also stipulate a rigorous, long-term monitoring plan for detecting the disruption of permafrost, and any associated effects. Water management system must have adequate storage capacity during operations and closure under all climatic conditions, including potential long-term changes in permafrost. Water storage requirements could have impacts on geotechnical stability of the main tailings dam and ground and surface water resources.
90.	<u>What requirements will the BLM impose on tailings ponds construction to ensure protection of downstream resources?</u> From a performance standpoint the most significant difference in dam safety requirements between a Class I and Class II dam is the size of the earthquake the dam is required to withstand (see Alaska Department of Natural Resources, 2005, Section 6.3.2 Design Earthquake Levels, Table 6-2. Operating- and Safety-Level Seismic Hazard Risk, in Appendix B of this paper). Class II dams must withstand seismic events with return periods of 1,000 – 2,500 years, and Class I dams 2,500 years to the Maximum Credible Earthquake (Alaska Department of Natural Resources, 2005, Table 6-2). Note that it is not mandatory to use the Maximum Credible Earthquake as the Maximum Design Earthquake for a Class I dam. According to the current International Commission on Lard Dams (ICOLD) guidelines, large dams have to be able to withstand the effects of the so-called maximum credible earthquake (MCE). This is the strongest ground motion that could occur at a dam site. (Wieland, ICOLD, 2001) Recommendation: Given that tailings ponds must often last in perpetuity, the BLM should adopt the most rigorous performance standards for design, construction and maintenance. The RMP should adopt a policy to require that tailings ponds built on BLM land meet the requirements of Class 1 facility, and be designed for the maximum credible earthquake, as recommended by the ICOLD guidelines.
91.	<u>Mineral Resources on Federal Lands</u> AMA urges the BLM to recognize mineral resources on federal lands not just in the BSWI plan, but in all federal land management processes. Minerals on federal lands are a critical resource for the nation's economy and defense. Minerals on federal lands, if developed, can lead to less dependency on foreign sources, but the land must first be available for mineral entry and discoveries. The economic benefits to surrounding communities, the State of Alaska, and the United States are well worth consideration in land management decisions on their own; and importantly, mining in Alaska is done in accordance with stringent state and federal environmental regulations that protect all land uses. While some RMPs have been preceded by a BLM-authored "Mineral Occurrence and Development Potential Report", many do not have that type of data for input to the various management alternatives. Moreover, it is important to note that where the "Mineral Occurrence and Development Potential" reports are available, they are, by definition, limited to discussion of "known" (already discovered) mineral occurrences and their development potential. Undiscovered occurrences and the true "mineral-potential" of a region are not discussed, and are generally absent from the final RMPs. BSWI, and all RMPs, should contain a thorough discussion of the mineral potential of the area- not just the likelihood of development of already identified ("known") mines, prospects and mineral occurrences. An ideal mineral-potential section of an RMP would review all data related to regional geology, geochemistry and geophysics, and include maps, data summaries, and a thorough discussion of geologically-based mineral deposit models and their likelihood of occurrence within the RMP area. This type of material can and should be provided by the U.S. Geological Survey, who are notably absent in the development of many of these RMPs.
92.	<u>Public Land Orders</u> The plan should evaluate all existing Public Land Orders (PLOs) in the planning area and recommend revocation of all obsolete and unnecessary PLOs and other land withdrawals. In particular, the plan should recommend revocation of all land withdrawals on BLM lands that were established pursuant

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	to the Alaska Native Claims Settlement Act (ANCSA) Section (d)(1). When these withdrawals were put in place 40 years ago, they were intended to be temporary to enable ANCSA selections and for study for possible land classifications. ANCSA selections have long since been completed and the issue of permanent federal land classifications was settled with passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. Congress recognized that these withdrawals were obsolete when, in Section 207 of the Alaska Land Transfer Acceleration Act of 2004, it directed the Secretary of Interior to recommend possible revocation. The Secretary's conclusion contained in a June 2006 report to Congress was that many of these withdrawals are obsolete and decisions on revocation would be made through the BLM RMP process. Now is the time to fulfill the Secretary's commitment.
93.	The Resource Development Council for Alaska, Inc. (RDC) is writing to comment on the Bureau of Land Management's (BLM) Bering Sea-Western Interior Resource Management Plan/Environmental Impact Statement (BSWI RMP) scoping plan. RDC is a statewide, non-profit, membership-funded organization founded in 1975. The RDC membership is comprised of individuals and companies from Alaska's oil and gas, mining, timber, tourism, and fisheries industries, as well as Alaska Native corporations, local communities, organized labor, and industry support firms. RDC's purpose is to link these diverse interests together to encourage a strong, diversified private sector in Alaska and expand the state's economic base through the responsible development of our natural resources. RDC appreciates the opportunity to comment on the RMP scoping, and respectfully requests the BLM incorporate the following comments and suggestions in the RMP. One of RDC's priorities is to encourage the new exploration and responsible development of Alaska's mineral resources. RDC encourages the BLM to incorporate resource management, such as opening the area to resource development, increased access for exploration, mineral leasing, mining, and oil and gas development. Much of Alaska's federally managed lands are closed to responsible resource development, and the RMP should include provisions to open more areas to resource development activity.
94.	Rare Earth Elements are a much-needed commodity. Alaska contains known and likely unknown deposits of Rare Earth Elements (REEs). Many of these REEs are imported to the United States, often from countries with lesser environmental regulations. According to the Mineral Commodities Summaries 2013 report by the U.S. Geological Survey, the U.S. depended on imports of 50-100% of needs for 41 minerals in 2012, some of which are found in Alaska. Keeping areas open to mining in Alaska not only provides the opportunity for future responsible resource development, it may also improve national security. Therefore, areas like the BSWI that have not been inventoried, should be open to mineral development, and should be mapped by the U.S. Bureau of Mines, and listed as favorable for mineral discoveries. RDC asserts that the potential for mining in the area should be fully considered and designated as such in the RMP.
95.	Benefits of maintaining multiple use areas The area under consideration in this RMP is 60 million acres, and surrounds many rural communities. Resource development in the area could provide economic benefits to the region where well-paying jobs are scarce, as well as improved or added infrastructure and access to areas for multiple use. RDC maintains that multiple uses should include mining (exploration, leasing, development) for oil and gas, coal, and minerals, as well as recreational and other potential uses. With less than one percent of Alaska in conventional private ownership, access should be available on other lands. Additionally, RDC encourages the BLM to recognize that multiple use activities often incorporate mitigation measures, and that a one-size fits all plan should not be considered.
96.	Conclusion RDC encourages the BLM to incorporate resource management, such as opening the area to resource development, increased access for exploration, mineral leasing, mining, and oil and gas development. Thank you for the opportunity to comment on this important issue.

8.2.15 Issue 15: Forestry and Woodland Products

Appendix B Table 15 Issue 15 Forest and Woodland Products	
1.	Has BLM completed any timber stand assessments in this area?
2.	White spruce and balsam poplar
3.	Firewood up the Holitna River, is quality enough for milling dimensional lumber and could it power barges with sawmill byproduct from milled lumber? Timber potential good, byproducts of processing dimensional lumber could be effectively used for biomass/pellets
4.	BLM lands on either side of the Kuskokwim at Stony River are important sources of dimensional wood and firewood. Many harvest timber upriver around Stony River and make log rafts to transport wood downriver, as far as Bethel sometimes.
5.	Lime Village (up Stony River) also has some higher quality timber with potential for milling.
6.	There is potential for a mill, use AVCP as model
7.	No major fire in a long time, has resulted in even-aged stands
8.	Energy costs + TKC rules have resulted in high-water harvest phenomenon (since no one owns the high-water). During high water, people will go cut timber right on the banks of the river – in addition to gathering the timber that has been washed downriver and is lying on the banks or islands.
9.	BLM lands between Marshall and Russian Mission along the Yukon are important sources of firewood and moose
10.	People float logs from Stony River area to lower Kuskokwim in June and July before weather changes (between high water, but before winds), they bring lumber from McGrath to lower communities
11.	Logging has benefits, but has potential to affect spawning grounds, for example, the runoff from cleared areas
12.	BLM land across the river from Chuathbaluk/south and east of Chuathbaluk: wood gathering is VERY important there “100%” of Chuathbaluk gets wood in this area, dead standing swamp kill; trapping is also important in this area
13.	Get wood upriver, above Stony River
14.	Logging by Sleetmute and Red Devil, float down in rafts to Chuathbaluk
15.	There is a mill across the river from Chuathbaluk, on the south side of the river. Elder Garry (82) used to operate the mill with wood harvested from upriver. Garry supplied all the villages between Stony River and Kalskag w/ lumber, he supplied firewood and lumber “slabs.” The mill is now run by “Nelson Brothers Enterprises.” Garry supplied the slabs for all smokehouses on the river.
16.	We have a sawmill in Crooked Creek and have mostly used wood from the river.
17.	We are interested in future timber available from BLM lands.
18.	We would be interested in any logging opportunities. We get all of our logs/wood from the river and river banks, which is non-BLM land. If there is BLM land close to the river, we would be interested in logging. There are about 7 sawmills in town.
19.	We would be interested in Biomass production, though we likely would not get wood from BLM lands.
20.	There is a possible timber harvest area upriver, but not on BLM land
21.	The most important resource in the Unalakleet River and all its tributaries/watershed is the fresh clean water because it supports all life forms. “It provides clean water and clean land” that support fish, berry, bear, and firewood resources.

Appendix B Table 15 Issue 15 Forest and Woodland Products	
22.	Block of BLM land SE of McGrath • Important wintering area for caribou from the Alaska Range, portions of the Mulchatna herd. • People from both McGrath and Nikolai use a lot of this land for trapping. • There isn't much firewood on this land. • People from both McGrath and Nikolai go up the Salmon River and Bear Creek for Salmon in the summertime and traplines during the winter.
23.	Timber harvest: remarked that timber would also be needed for biomass heating that the village plans to install the following year. He suggested that perhaps an area could be designated in the plan for timber harvest for biomass heating. Biomass energy heating is a method of heating using home-grown, locally available, renewable resource that is both dependable and sustainable (US Forest Service). In rural Alaska, biomass energy is commonly interpreted as high-efficiency wood boilers that can heat schools as well as residences, and help mitigate costs of using fossil fuels for heat during the winters.
24.	Climate Change Boreal Forest Health and Habitat Protection The Boreal Forest ecosystem health benefits extend well beyond the arctic regions. As noted by the BLM in 2008 within the Bering Sea Western Interior Preparation Plan, the boreal forest (Tayga) is the biggest terrestrial ecosystem in the world. BLM goes on to say that like the Amazon, the boreal forest is critical to sustaining a healthy global environment. The boreal forest is often referred to as the "lungs of the planet," and has a daily rhythm of taking in carbon dioxide and expelling oxygen. In addition to generating oxygen, this process makes the boreal forest a store house for carbon dioxide. Its trees and peat lands comprise one of the world's largest carbon reservoirs as it takes in more carbon dioxide that it releases. In addition to global oxygen generation and carbon retention, the boreal forest ecosystem is a green belt of conifer and deciduous trees that acts as part of the largest source and filter of fresh water on the planet. The lack of access to fresh water is increasing becoming an issue of environmental concern throughout the world. Forty percent of the nations' fresh water resource, as opposed to clean water within the meaning of the Clean Water Act, is in Alaska. Juday et al. (1998) outlines the potential effects of climate change on boreal forests in Alaska. Of particular importance to the Bering Sea Western Interior Planning Area would be 1) decreases in moisture sufficient for forest growth; 2) continued or expanded tree mortality from insect outbreaks; 3) fire intensity and frequency; 4) spruce reproduction; and 5) changes in habitat associated with permafrost thawing. How will the BLM address these issues and impacts during the next management cycle and how is the BLM looking beyond the next 15 years to anticipate changes in key wildlife and habitat resources to help them adapt to rapidly changing conditions? We recommend the initiation or continued monitoring of daily and seasonal weather patterns, including but not limited to max/min/mean daily temperatures, growing degree days and frost-free season length as important parameters for understanding changes in forest ecology that need to be incorporated into management decisions.
25.	Berry picking - folks travel as far as Napaimute (upriver) for berries
26.	Lower Kusko villages are interested in water-fowl, berries, timber, fur-bearing animal trapping all available on BLM lands upriver
27.	Berry picking - Lower Kusko villages won't travel terribly far for berries (ample resources nearby)

Appendix B Table 15 Issue 15 Forest and Woodland Products	
28.	BLM land north of Chuathbaluk: Hunting + Berries important to Chuathbaluk
29.	Primary subsistence resources = bear, moose, berries
30.	Go berry picking downriver toward Bethel for salmonberries and blueberries.

8.2.16 Issue 16: Livestock Grazing

Appendix B Table 16 Issue 16 Grazing	
31.	We want to herd/graze reindeer on BLM lands south of Stebbins and St. Michael.
32.	Reindeer herding occurred historically in the area and there is interest in future opportunities
33.	Reindeer grazing opportunities are desired, very supportive of reindeer grazing. “Bring it on” “Reindeer are delicious” • Historic herding occurred up Egavik Creek, North River (trib of Unk), South River (trib of Unk), Chirosky River (trib of Unk), and Klikatereq area. • Egavik Creek area used to have a reindeer processing plant circa 1930’s

8.2.17 Issue 17: Renewable Energy (Wind, Solar, Hydropower, Biomass, Geothermal)

Appendix B Table 17 Issue 17 Renewable Energy	
1.	Comm sites, towers, and turbines typically don't interfere with access to historical trails/access
2.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
3.	Timber harvest: remarked that timber would also be needed for biomass heating that the village plans to install the following year. He suggested that perhaps an area could be designated in the plan for timber harvest for biomass heating. Biomass energy heating is a method of heating using home-grown, locally available, renewable resource that is both dependable and sustainable (US Forest Service). In rural Alaska, biomass energy is commonly interpreted as high-efficiency wood boilers that can heat schools as well as residences, and help mitigate costs of using fossil fuels for heat during the winters.
4.	Fluid Minerals: Oil and Gas, Tar Sands, and Geothermal Resources Discovery of economically viable natural gas or geothermal resources could result in direct benefits to meet local Alaskan energy needs. Therefore, the State request that BLM include oil and gas, and geothermal resources assessments in the BSWI RMP. Retaining access for exploration, development, production, and transportation of these resources on State owned and state-selected land in the planning area is of upmost importance to the State. The BLM should not close or defer leasing in areas with oil, gas, or geothermal resources potential. Prescribed, arbitrary oil and gas leasing constraints are not in the State best interests. Energy resources leasing and project approvals should be done on a project specific basis. The BLM should not impose area limitations on surface occupancy land uses. Arbitrary size limitations on surface uses are not recommended, especially on lands near or contiguous to State surface and subsurface lands. The BLM should retain leasing in areas with oil and gas resources potential, while maintaining access to surface and subsurface resources on non-federal lands. The BLM must obtain prior written concurrence from non-federal landowner(s) prior to approving or denying land use authorizations that will negatively impact adjacent landowners such as the State, Tribal, unincorporated villages and boroughs, or private land owners and/or access to common resources. The State also requires that prior written concurrence be obtained prior to implementation of restrictions on State owned or state-

Appendix B Table 17 Issue 17 Renewable Energy	
	selected land. BLM should coordinate all project authorizations and mitigation efforts with the non-federal landowners within the planning area to maintain consistency among land uses and mitigations. In addition, we recommend BLM incorporate State and local government regulatory criteria and oversight to provide regulatory consistency among non-federal jurisdictions and regulations.
5.	Oil and Gas Resources The State opposes restrictions on large land areas that hinder or prevent oil and gas, and geothermal resources exploration, leasing, and development. The BSWI RMP should address planning for management of commercially recoverable petroleum resources, both onshore and offshore. Access must be maintained to subsurface resources throughout the planning area, and through offshore transportation corridors to the coast and uplands. The petroleum resources in the planning area and adjacent Norton Sound offshore have not yet been definitively delineated, and the DNR Division of Oil and Gas continues to strongly support petroleum resource delineation of technically recoverable oil and gas resources, and their exploration, development, and transportation. The State requests that BLM incorporate information about potential petroleum conventional and unconventional resource planning, optimizing resources access and management in the entire planning area. The State strongly supports that any restrictions be lifted for oil and gas access, exploration, leasing, transportation, and related activities, and that construction and field activities for exploration, development, and pipeline systems be allowed throughout the entire planning area. The State encourages opening oil and gas leasing on federal lands, and keeping exploration and leasing open in the onshore and offshore basins with resources potential. The State also recommends that the areas identified with petroleum potential should not be restricted from leasing to protect lands with wilderness characteristics or visual resources. It is important that the BSWI RMP accommodate responsible access to State, Tribal, and private lands, and does not preclude oil and gas exploration and development on these lands. The Minchumina Basin (lowland west and southwest of the Kantishna Hills and east and northeast of McGrath) is unexplored but may have modest conventional gas and coalbed methane potential. The Holitna Basin along the western Denali Fault (immediately southeast of Sleetmute) is unexplored but may have potential for conventional gas or coalbed methane. A natural gas pipeline may eventually be constructed from Cook Inlet and the Susitna lowland to the western Alaska Range and beyond, potentially supplying mines with more affordable energy.
6.	Geothermal Resources It is possible that there are geothermal resources in the BSWI RMP planning area. The State has an active geothermal resources exploration and development program that has potential for growth in the planning area. The State has published a geothermal resource assessment and recommendations for the Lower Yukon-Kuskokwim region. Ophir, and Tatlawiksuk hot springs and Chuilnuk Spring are located along a northeast trending line south of the Kuskokwim River. Maintaining access to these sites situated northeast of Bethel should be considered. Swenson, et al. (2012) reported that hot springs associated with granitic rocks are known in Ophir, and near the Tuluksak River about five miles west of Ophir. Currently, these are not being developed to provide energy to nearby communities. The presence of shallow heat flow at these springs may indicate the possibility of geothermal gradients that could benefit communities, if located and developed for communities' uses (Swenson et al., 2012). Access for exploration and development is needed to locate and develop direct-use and the multiple benefits of geothermal energy. The State recommends that the entire planning area be open to geothermal resources exploration and leasing.

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	In addition, the BLM definition of fluid minerals should include geothermal resources. Geothermal resources should not be excluded from planning and management policies and should support development of geothermal resources throughout the planning area. Geothermal resources are managed under AS 41.06.005, with primary administration of exploration, leasing, and oversight shared in partnership among the DNR, Alaska Oil and Gas Conservation Commission (AOGCC), and DEC. The AOGCC serves to protect human safety, prevents waste, issues drilling authorizations, mitigates environmental impacts, and protects correlative rights (AS 31.05; 20 AAC 25; 11 AAC 87). The DNR manages the subsurface rights to explore and lease state lands for geothermal resources development (AS 38.05.181, 11 AAC 84). The DEC has jurisdiction over solid waste management and related mitigation of impacts to the lands and waters of the State (AS 46; 18 AAC 15-95). The State is directed to develop geothermal resources under the statutory guidance of AS 38.05.181, geothermal resources. The DNR commissioner may designate a geothermal area, and grant a prospecting permit and subsequent leases for exploration, development and use geothermal resources (AS 38.05.181 (c)). A prospecting permit conveys the exclusive right to explore for geothermal resources for a two-year period, with discretion to renew for an additional one-year term. Subsequent leasing depends upon the discovery of geothermal resources in commercial quantities and submission of an acceptable development plan (AS 38.05.181 (c)). Geothermal resources procedures are set out in regulations (11 AAC 84.700 – 11 AAC 84.790). The DNR commissioner designates a proposed geothermal disposal area comprised of individual tracts and invites applications for the tracts. After reviewing available geologic information and the applications, the commissioner determines whether the tracts will be leased competitively for geothermal leases, or whether noncompetitive geothermal prospecting permits will be issued. Noncompetitive prospecting permits may be issued for tracts receiving only one application; tracts receiving two or more applications must be leased using competitive bidding. Tracts leased competitively will result in a geothermal lease issued to the qualified highest bidder. All geothermal leases, whether awarded competitively or noncompetitively, are for a primary term of 10 years, with the option to renew for an additional five years if there is active drilling in progress (AS 38.05.181 (f)).
7.	RENEWABLE ENERGY & BIOMASS The RMP should identify zones for renewable energy or biomass projects and limit such development to those zones. Zones should be based on high-resource, low-conflict areas that are on already-degraded lands and near existing infrastructure. The BLM is already taking a similar approach in the ongoing Programmatic Environmental Impact Statement for Solar Energy Development. We recommend the Anchorage Field Office also adopt this approach for wind energy and biomass. Within the zones, BLM should prioritize lands that are most suitable for development, ensure adequate protective measures are imposed on development, and require both on-site and off-site mitigation of impacts to resources, as well as loss of uses (such as recreation). This approach is supported by IM 2011-061, which aims to guide applicants to areas that will raise as few environmental and cultural concerns as possible by establishing screening criteria to determine the level of potential conflict and requiring a pre-application process to engage stakeholders and identify conflicts early. Building on the BLM's guidance, the Bering Sea Western Interior plan should incorporate screening criteria for solar and wind projects that ensures sensitive resources such as Lands with Wilderness Characteristics, ACECs, Recreation Management Areas, and other specially administratively designated areas are protected from development. Recommendation: The Bering Sea Western Interior plan should identify zones for all types of renewable energy development or biomass that prioritize high potential areas that contain degraded lands and are in close proximity to new transmission facilities, while excluding sensitive conservation lands, such as citizen-proposed wilderness areas and ACECs. The RMP should also specifically preclude development outside the designated zones. Within the zones, the RMP should also set out prioritization criteria, which direct development to degraded lands and identify other areas where development is

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more likely to lead to conflict, as well as setting out protective stipulations to safeguard other resources.

8.2.18 Issue 18: Lands and Realty

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1.	Need to get a local Unalakleet River Management agreement with government to government agreement with Native Village of Unalakleet, BLM Federal, State government and representation to included Native allottees.
2.	Trespass issues on Native Allotments relative to Iditarod trail and designated public easements on corporation lands signage needs to be established on verified public easement.
3.	I think there has been some mischaracterization of the purpose of these withdrawals-5180 and 5184. The purpose of the withdrawals was not to close the lands to locatables or leasing; the purpose was to close the lands for ANSCA selection and to not encumber those lands should they become selected by ANSCA corporations. That is an important distinction. Those lands were not enacted just to close those lands to mining; it was to make them available for ANSCA selection. Since many ANSCA corporations, especially those out along in the Calista region are nearing entitlement; the reason for the withdrawals has become mute.
4.	I don't understand the concept of withdrawals and their corresponding land orders. I need more clarity.
5.	This is a huge plan and the threshold decisions that are going to be made in these plans…are the vast acres of withdrawals are lifted or not? If they are lifted, under ANILCA, it is very difficult to put back…the withdrawals for mining and oil and gas. So that is one of the most important decisions. But look at this plan- how is BLM going to manage? There is a proposal to open…I don't know… say 3 or 6 million acres in the Eastern Interior Plan. How are they going to have enough staff to monitor, plan, manage, and do compliance? It's unrealistic. Those kinds of considerations are important when you look at the scope of what we have today and what we have in the future- and the pace of lifting these withdrawals…especially when you see the [Native] corporations don't have their full entitlements yet.
6.	I would encourage you to standardize the types of maps that you put up so that each planning area has similar map opportunities online. Some of the maps available for BSWI are not available for the Central Yukon (CY) Plan. The RMP materials should use the same kinds of terminology. It seems there are several types of terminology used in the CY, BSWI, and Eastern Interior Resource Management Plan (RMPs) for the mining withdrawals under [ANSCA]d1 designations and mining designations.
7.	We are concerned about the impact to water resources from mining and new access roads to new mining sites including the road to Ambler.
8.	Owhat River NE of Aniak - recent transfer of lands in area between TKC and Calista
9.	Is Donlin mine in a Mining District? If so, which one? How much of that District is on BLM lands? (Dave Cannon)
10.	Several corridors are proposed (roads, pipelines) and these could benefit the communities, but we also like things the way they are now. (dilemma, torn about it)
11.	The proposed road between the Yukon and Kuskokwim Rivers would have an associated pipeline to transfer heating fuel, concern expressed over the hazards of fuel transport. Hazards associated with above-ground pipeline (vandalism)
12.	Leave all withdrawals as they are until after we've heard how everything else pans out, to allow for more input from the various user groups
13.	Answer to the question about the patenting of mining claims: BLM has had a moratorium on the patenting of mining claims since 1994.
14.	Lower Kuskokwim villages are 'greatly affected' by this effort, they too rely on BLM lands upriver

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15.	Land use policy should be least restrictive to the actual residents and constructed with the "maximum benefit of Alaskans" in mind. Please review the Alaska Statehood Compact and the "no more" provision in ANILCA.
16.	Responsible environmental management considerations are important, however, equally, if not more important, are local economies. People, especially in rural communities, must have access to resources to survive. This takes many forms, including access to fish and game and responsible mining/development activities.
17.	"Government Cabin" area along the Kuskokwim refers to area close to or, on BLM land upriver from Chuathbaluk, off the north bank of the river, across from Veahna Creek on the south bank
18.	Map suggestions: creek missing on map (same area upriver of Aniak on north bank into BLM lands toward Pike Lake), also Cobalt Creek = called Mission Creek locally?, add historic Crow Village to map
19.	What is going on in the two blocks north of Chuathbaluk (re: W/Ds - overlapping)? Maps show both green and black hatches
20.	The residents are supportive of cell towers on BLM land because they enhance public safety.
21.	It is hard to know where State/Native/Federal land boundaries are when you are hunting
22.	Kako Mine owners have a ROW from mine down to the landing on the river (over Native Corp. lands).
23.	17b easements across Native Corp. lands are important for access to State lands and BLM lands
24.	Old CAT trail up to Stuyahok Mine that goes from the landing on the river, across some Native Corporation land, FWS land, then over BLM and BLM state-selected lands to the mine site. There are gas tanks on the landing near the river with no containment and they are leaking (likely on Native Corp or FWS lands).
25.	Located up the Yukon River from RM, past Kako Creek and past Stuyahok Creek. Mountain Creek is the next drainage upriver from Stuyahok Creek and it joins the Yukon on Fish and Wildlife Service (FWS) land, then the rest of it is on BLM unemcumbered and state-selected BLM (not labelled on the map).
26.	Can we apply to construct a shelter cabin up the headwaters of the North River (tributary of Unalakleet) where we go caribou hunting?
27.	What are the reasons behind the State of Alaska-selected land that runs north-south in a corridor as far north as Shaktoolik to the Anvik River south?
28.	What are the reasons behind the State of Alaska-selected land that runs east-west north of the Unalakleet River and an area of medium mineral potential?
29.	There is a lack of easements across Corporation-owned land to BLM land
30.	The 17b easements need to be signed on the ground
31.	What is the status/priority of the state-selected land conveyances along the Chirosky River watershed?
32.	Iditarod Trail use is occurring across native allotments and some allottees don't want the events that occur on the trail to cross their allotments.
33.	Requested that the BLM install BLM easement signs on the approved easements along the Iditarod Trail.
34.	Concern expressed about the sale of native allotments/fee-simple lands for development to private interests or development and what BLM could do about it?
35.	Blocks of BLM land South of McGrath (all state-selected and native-selected) • Attendees wanted to know why these separate, random blocks of BLM land were located in these areas when it is mostly state and native corporation all around.

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	• These blocks of BLM-managed land are close to Wiggins Lake and Wilson Slough, which are important for trapping, hunting, and fishing
36.	The Cheeneetnuk (lower-portion crosses BLM, upper on State land) and the Tatlawiksuk (small portion of lower and headwaters on BLM) are also very important for fishing
37.	In relation to pipelines or future corridors, preserve the wildlife and caribou corridors – especially along the Big River. These are important lands for wildlife migration routes. Study where migrations have occurred in the past and consider future migration routes when considering utility corridors. We are concerned about the migration corridors.
38.	Any pipeline corridor will provide access to ATVs and increase our hunting pressure.
39.	There are a lot of Guides that guide in Windy Pass area near the proposed pipeline (Donlin).
40.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments proposed for Wild and Scenic Rivers Act ("WSRA") designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
41.	Wild and Scenic Rivers - Doyon generally opposes recommending additional river segments for inclusion in the National Wild and Scenic Rivers System ("NWSR"). NWSR recommendation and designation imposes significant restrictions on the use of, and access to, surrounding lands. Recommendation and designation of additional river segments reviewed in connection with this planning effort could prevent Doyon from reasonably accessing its lands and enjoying the full economic benefit of those lands as intended by ANCSA. BLM's Wild & Scenic Rivers Manual states that, when addressing suitability, BLM should address, among other questions, whether "the river's free-flowing condition, water quality, and outstandingly remarkable values [will] be protected through designation" and whether "there [is] a demonstrated

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	commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management." The Manual further states that the following factors, among others, are to be considered in evaluating the suitability of a river segment: 2. The current status of land ownership and use in the area. 5. The extent to which the agency proposes that administration of the river, including the costs thereof, is shared by state and local agencies. 7. A determination of the extent that other Federal agencies, the state, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the National System. 10. The existing support or opposition of designation. Assessment of this factor will define the political context. The interest in designation or nondesignation by Federal agencies; state, local, and tribal governments; national and local publics; and the state's congressional delegation should be considered. BLM Manual, 6400 - Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, Planning, and Management (Public), at 3-4 (BLM July 12, 2012). In general, the State of Alaska opposes designation of additional river segments for inclusion in the NWSR. Doyon also generally opposes recommending additional river segments for inclusion in the NWSR. These considerations should weigh heavily against any fmding that additional river segments in the Planning Area may be suitable for designation under the WSRA.
42.	Wilderness Characteristics - Doyon generally opposes any designation of areas surrounding or adjacent to Doyon owned lands in the Planning Area as areas where wilderness characteristics would be maintained. As an initial matter, many of these areas are subject to Doyon land selections and, therefore, are subject to potential conveyance to Doyon at some time in the future. Moreover, such designation could significantly impact Doyon's ability to obtain needed access across such lands. BLM's policy for considering lands with wilderness characteristics in land use planning directs the BLM to consider "whether the lands can be effectively managed to protect their wilderness characteristics." Instruction Memorandum No. 2011-154, Requirement to Conduct and Maintain Inventory Information for Wilderness Characteristics and to Consider Lands with Wilderness Characteristics in Land Use Plans (July 25, 2011). BLM has recognized that factors that may affect manageability and that should be considered include land status, mineral ownership, valid existing rights, needs for access to non-Federal inholdings, and additional statutory requirements. In this regard, BLM has stated that, "[i]n developing management actions and allowable uses for land use plans in Alaska, the BLM should take into account the relevant management provisions of the Alaska National Interest Lands Conservation Act (ANILCA)." Considering Lands with Wilderness Characteristics in the BLM's Land Use Planning Process, at 5, available at http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information Resources Management policylim attachments/20 11.Par.28612.File.datfiM20 11-154 att2.pdf Another factor that BLM must consider and document is ''the extent to which other resource values and uses of lands with wilderness characteristics would be forgone or adversely affected if the wilderness characteristics are protected." In this regard, BLM is instructed to consider, among other things, "[t]he potential for further development or use of the other resources on the lands with wilderness characteristics; ... [l]ocal, regional, or traditional (i.e., Tribal) economic value of various resources on the lands with wilderness characteristics and the potential to enhance the economic importance by protecting the lands with wilderness characteristics; and ... [t]he degree to which use or development of each resource is compatible with or conflicts with management of the area to protect wilderness characteristics."
43.	Wilderness Characteristics - Based upon a reasonable consideration of these factors, much of the land area in the vicinity of Doyon-owned or selected lands is unlikely to be suitable for management for maintenance of wilderness characteristics. Much of this land area consists of lands that have been selected by Doyon under ANCSA, and that are likely to be conveyed to Doyon during the term of the RMP, potentially limiting BLM's ability to protect wilderness characteristics on the lands over the long term. In addition, to the extent that lands to be considered for maintenance of wilderness characteristics may surround or be adjacent to Doyon-owned lands, Doyon will require access to non-Federal inholdings. Such access, to

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	which Doyon is entitled under the provisions of ANILCA, could limit BLM's ability to effectively manage the lands to protect their wilderness characteristics. Accordingly, proposals to designate areas in the vicinity of Doyon owned or selected lands as areas where wilderness characteristics would be maintained are unlikely to be supported by BLM policy and guidance governing the consideration of lands with wilderness characteristics in land use planning.
44.	The Final Plan Must be Consistent With ANILCA's Unique and Specific Provisions Governing Access to Lands and Resources Congress enacted ANILCA to protect Alaska's natural resources and ensure economic development opportunities for Alaska Natives and other private landowners in the State. ANILCA included unique and specific provisions to guarantee that such landowners would have reasonable access to inholdings within or effectively surrounded by one or more conservation system units, national recreation areas, national conservation areas, or areas of public lands designated as wilderness study so that they could make economic and other use of their property. It should be without dispute that any elements of the RMP that may affect access to inholdings thin CSUs and general (non-CSU) BLM-managed public lands must be fully consistent with these provisions. ANILCA Sought to Encourage Economic Development by Creating a Comprehensive, Balanced Regulatory Regime to Govern the Use and Development of Lands and Resources in Alaska In enacting ANILCA, Congress intended that nonfederal land within conservation system units in Alaska would remain available for development. In setting forth the very purposes of the statute, section 101 (d) of ANTI..,CA expressly recognizes the balance struck between resource protection and development: " This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the preservation of national conservation system units and those public lands necessary and appropriate for intensive use and disposition.. 16 U.S.C. § 3101(d). Congress included special provisions in the Act to assist landowners in fulfilling this important, recognized economic need.
45.	Temporary Access Under ANILCA for Exploratory or Similar Purposes Section 1111 of ANILCA further directs the Secretary of the Interior to grant temporary access to a private landowner to cross conservation system unit lands in Alaska for exploratory or similar purposes, so long as, after compliance with the requirements of the National Environmental Policy Act (NEP A), the Secretary determines that such access will not result in "permanent harm" to the resources of the lands or unit. 16 U.S.C. § 3171(a). In providing such temporary access, the Secretary may include stipulations and conditions in the permit to ensure that the access granted is undertaken in a manner consistent with the purposes for which the area was established and to ensure that no permanent harm will result to the area's resources. 16 U.S.C. § 3171(b). DOl has adopted multi-agency regulations governing such temporary access under ANILCA section 1111 at 43 C.F.R. § 36.12.
46.	Regulation of Transportation and Utility Systems Under ANILCA In addition, Title XI of ANILCA established a specific set of procedures for federal agencies to follow when processing applications for "transportation or utility systems" (TUSs) in Alaska when any portion of the route of the system will be within a conservation system unit. 16 U.S.C. §§ 3 t 61 - 3169. Recognizing that "the existing authorities to approve or disapprove applications for transportation and utility systems through public lands in Alaska are diverse, dissimilar, and, in some cases, absent," Congress sought to establish in ANILCA "a single comprehensive statutory authority for the approval or disapproval of applications for such systems." 16 U.S.C. § 3161.
47.	Guaranteed Access to Inholdings Under ANILCA Section 1323 ANILCA also guarantees access to inholdings across general (non-CSU) BLM-managed

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	public lands. ANILCA Section 1323{b) requires BLM, "[n]otwithstanding any other provision of law, and subject to such tenns and conditions as [the agency] may prescribe," to "provide access to nonfederally owned land surrounded by public lands managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S. C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof." 16 U.S.C. § 3210(b). This provision "mandat[es] reasonable access." Adams v. United States, 3 F.3d 1254, 1258 (9th Cir. 1993); see also United States v. Jenks, 22 F.3d 1513, 1516 (lOth Cir. 1994). It commands the agency to "provide access to secure the owner's reasonable use and enjoyment," which the U.S. Court of Appeals for the Ninth Circuit has held "clearly rests on [the landowners'] ability to freely access their property." Adams, 3 F.3d at 1259. In developing the RMP/EIS, BLM should specifically address the access guaranteed to Doyon and other inholders under Section 1323(b). The RMP must be consistent with meeting the future access needs of Doyon and other inholders within the Planning Area as Guaranteed under this provision and under The Title XI provisions discussed above.
48.	The RMP 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 the traditional Native culture in the Planning Area and a primary source of nutrition for residents of remote rural villages. Resource management planning decisions that will be made in the course of developing the RMP could impose significant limitations on access and activities that could adversely impact these customary and traditional uses. BLM must carry out its obligations under ANCSA and Titles XIII and XI of ANILCA in developing and implementing the RMP to ensure that subsistence uses and access to subsistence resources are protected.
49.	Areas of Critical Environmental Concern - According to BLM, currently there are five ACECs in the BSWI Planning Area. Doyon strongly agrees with BLM that the existing ACECs in the Planning Area should be reviewed as part of this planning process. Since the ACECs were established in the 1980s, significant areas within or adjacent to a number of the ACECs in the Planning Area have been conveyed to Doyon and the State. For instance, Doyon now owns significant land holdings in the areas of the villages of Holy Cross and Grayling. As a result, significant portions of the Southwest Peregrine Falcon Habitat ACECs are no longer in federal land status, and should be removed formally from the ACECs. Other areas within the ACECs may no longer be appropriate for continued designation because of the status of adjacent lands and/or for other reasons. For instance, as BLM has recognized, "An existing ACEC may no longer be valid if the original reason for designation is not as important as it previously was (e.g., protection of past Federally-listed endangered species that are now de-listed)." BSWI RMP Special Designations in the BSWI Planning Area poster, available at https://www.blm.govhml-frontoffice/ projects/lup/36665/45391 /48945/BSWI Special Designations FINAL.pdf. In this regard, the Peregrine Falcon Nesting Habitats and the Kuskokwim River Area Raptor Nesting Habitats were established under the 1981 Southwest Management Framework Plan after BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat. As a result in the recovery of the peregrine falcon population, the U.S. Fish and Wildlife Service removed the species from the Federal list of threatened and endangered species effective August 25, 1999. Accordingly, there may no longer be valid justification to maintain these ACECs.
50.	Areas of Critical Environmental Concern - Moreover, the RMP should not propose the designation of any new ACECs or that would occupy lands selected by Doyon under ANCSA or surround or be adjacent to lands that already have been conveyed to Doyon. Such ACECs are unlikely to meet the regulatory criteria for designation of ACECs. Areas under consideration for designation of an ACEC that contain substantial areas of land that are in the process of conveyance or are high priority Doyon, Limited, and State-selected lands are unlikely to be retained in federal land status and therefore inappropriate for designation as ACECs. In addition, designation of such areas as ACECs could limit access to and use of Doyon lands, depriving Doyon of

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	the ability to realize the economic and historic and cultural values of its lands and resources. Further, in the event that BLM proposes designation or continued designation of lands that surround or are adjacent to Doyon lands as ACECs, the RMP should not propose designation of those ACECs as right-of-way avoidance areas. Over the life of the plan, Doyon may require access across ACECs in order to use its lands. Under such circumstances, designation of ACECs that surround or are adjacent to Doyon-owned lands as right-of-way avoidance areas would be absolutely inappropriate. At best, such designation could make it more difficult for Doyon to obtain access to its lands. At worst, it would suggest an effort by BLM to shut-in Doyon lands and to prevent Doyon and its shareholders from enjoying the economic and cultural and historic value of Doyon's lands and resources.
51.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
52.	State Management Responsibilities The Alaska Department of Natural Resources (DNR) and its subdivisions have the primary management responsibility for all state-owned lands, waters, and surface and subsurface resources, except for fish and wildlife. This authority includes the beds, waters, tidelands, and shorelands of navigable waters throughout the state. The DNR Division of Mining, Land, and Water manages the State's water and land interests within and adjacent to the exterior boundaries of federal lands, including conservation system units.
53.	State Planning Efforts We appreciate BLM's intent, consistent with direction provided in 43 CFR 1610.3-2, to make the BSWI RMP compatible or consistent with State and local land use plans that address lands adjacent to those managed by BLM. Many of the non-federal parcels in the planning area are State owned, tentatively approved or selected. While land status in this area is in flux, striving for a seamless management transition upon conveyance of lands to the State and consistency in management across ownership boundaries is in the public interest. Under ANILCA 906(k), the State must concur with authorizations on state-selected lands. State concurrence is based on DNR plans as well as other State policies, regulations, and statutes that address selected parcels. While BLM retains management responsibility for selected lands prior to conveyance, we request that the State be consulted, and our views considered, prior to implementing a more specific management program or issuing a permit involving these lands. In addition, we understand that fees collected for special use or right-of-way permits will be held in escrow until the selected lands are conveyed or relinquished, consistent with Alaska National Interest Lands Conservation Act (ANILCA) Sec. 906(k)(2). Of particular concern are state-selected lands that have been identified as a high priority for conveyance and are likely to be state-owned over the long term. Relevant plans and identified

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	management areas include: Area Plans (DNR) • Bristol Bay (Determination of Reclassification and Plan Amendment – public review draft 2012) • Kuskokwim Area Plan • Northwest Area Plan • Susitna Matanuska Area Plan Management Plans (DNR – State Parks) • Wood-Tikchik State Park Management Plan • Alaska Recreational Trails Plan • Alaska's Outdoor Legacy, Statewide Comprehensive Outdoor Recreation Plan , 2009-14
54.	State Planning Efforts For information on State management authorities, and language that can be incorporated into the plan if desired, please see the attached "Select State Tools" document, dated December 2010. This document helps to illuminate some of the many jurisdictional issues that are often overlooked and which may be relevant within the RMP, such as: a) The DNR and ADF&G should both be consulted regarding management of all water bodies within the planning area for issues related to state authorities, including anadromous stream crossings, diversions, public use, placer mining, and dam construction; b) When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the common good of all residents; and c) The Department of Environmental Conservation (DEC) has numerous regulations used to monitor and mitigate impacts to resources within the state, including human waste disposal, air and water quality standards.
55.	State Planning Efforts We recommend that BLM include the attached Fact Sheet "Generally Allowed Uses on State Lands and Conditions for Generally Allowed Uses" as an appendix in the RMP. This Fact Sheet summarizes regulations at 11 AAC 96.020 and 96.025 into a clear and practical format and can facilitate a better understanding of the "Generally Allowed Uses" if and when they are referenced in the RMP, particularly in discussions an proposed policies regarding off-highway vehicle use (http://dnr.alaska.gov/mlw/factsht/gen_allow_use.pdf.)
56.	State Planning Efforts In addition to landowner management plans, we recommend BLM consult and integrate the planning documents of local governments. The Department of Community and Economic Development maintains another valuable source of detailed community information using an on-line database at: http://commerce.alaska.gov/cra/DCRAExternal/. This site also contains detailed community profile maps that may prove useful in reviewing land status and existing infrastructure.
57.	ANILCA The BSWI RMP planning area already includes numerous areas that have been specifically set aside for conservation purposes (including designated Wilderness.) The remaining BLM-managed lands in the area represent the only federal lands available for multiple use. Conservation system units (CSU) established by the Alaska National Interest Lands Conservation Act (ANILCA) within this planning area include the Unalakleet Wild River, the Andreafsky Wild River, the Iditarod National Historic Trail (NHT), the Innoko National Wildlife Refuge, the Yukon Delta National Wildlife Refuge, and a portion of the Lake Clark National Park and Preserve. BLM's Preparation Plan cites the need for preparing the BSWI RMP is to replace the 1981 Southwest Management Framework Plan (MFP), which is not in compliance with current planning regulations and policies. The National Landscape Conservation System (NLCS) is referenced as an example of "…requirements that did not exist when the MFP was prepared" (BSWI RMP Preparation Plan, page 7). While Public Law 111-11,123 Stat 991 (Mar.30,2009) which established the NLCS, was enacted after the Unalakleet Wild River and the

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	Iditarod NHT were designated as CSUs under ANILCA, section 2002(d)(1) of the NLCS legislation includes an important caveat. "(1) In General. --Nothing in this subtitle enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including – (A) ANILCA…" As such, we request the RMP clarify that nothing in the NLCS legislation amends direction in ANILCA for individual units within the system. We also request the RMP explicitly recognize and take into consideration those provisions of ANILCA that apply to the planning area – both on BLM managed lands and lands managed by other federal agencies – to fully inform the public and land managers of applicable law and to ensure that proposed management actions are consistent with ANILCA.
58.	Applicable ANILCA provisions include but are not limited to: • Section 811(a) and (b) - ensures motorized subsistence access on all federal public lands, subject to reasonable regulation. • Section 1101-1107 - in recognition of Alaska's undeveloped transportation and utility network and need for future transportation and utility systems, establishes a consolidated application process, including decision-making criteria and right-of-way terms and conditions (implementing regulations at 43 CFR 36). • Section 1110(a) - provides for motorized and non-motorized access for traditional activities and for travel to and from villages and homesites, subject to reasonable regulation (implementing regulations at 43 CFR 36.11) • Section 1110(b) - establishes a right of access to inholdings within and effectively surrounded by CSUs "to assure adequate and feasible access for economic and other purposes." • Section 1111 - provides for temporary access to or across CSUs, WSAs and lands managed to maintain wilderness character, to State and private inholdings for the purposes of survey, geophysical, exploratory, or other temporary uses. • Section 1303 - provides direction regarding construction, use and occupancy of existing and new cabins and related structures. - Section 1306 - addresses the establishment of administrative sites and visitor facilities within or outside the boundaries of CSUs. • Section 1310 - provides for access to, and operation and maintenance of existing facilities, and the establishment, operation, and maintenance of new facilities in CSUs. • Section 1316 - provides for the continuance of existing uses and future establishment of temporary structures and facilities directly related to the taking of fish and wildlife on all public lands. • Section 1323(b) – provides for access to inholdings on general BLM managed lands. We request that whenever practical, BLM use direct quotes when referencing ANILCA provisions to ensure an accurate representation.
59.	<u>Wild and Scenic River Studies</u> The State maintains its long held opposition to Wild and Scenic River (WSR) Studies in Alaska. ANILCA added twenty-six rivers in Alaska to the Wild and Scenic River System and mandated twelve additional rivers be studied for potential designation. The reports required in Section 604 for rivers designated for study have long been completed. ANILCA Section 1326(b) states: "No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purpose shall be conducted unless authorized by this Act or further Act of Congress. [Emphasis added]" Wild and Scenic Rivers are defined by ANILCA as CSUs. Additionally, in response to the settlement agreement for American Rivers vs. Bruce Babbit, BLM policy was modified and includes language which mirrors ANILCA Section 1326(b): "Pursuant to section 1326(b)…no study shall be conducted for the single purpose of considering eligibility for wild and scenic river designation in Alaska." While BLM apparently does not consider studies which are incorporated into resource management plans to be single purpose studies, the purpose of the wild and scenic review for Bering Sea-Western Interior planning area is

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	clearly stated in the Preparation Plan (page 12) as "Rivers that are found suitable for inclusion in the Wild and Scenic River System may be recommended to Congress for designation." In Alaska, such studies are in direct conflict with ANILCA Section 1326(b). Pursuant to section 1326(b)…no study shall be conducted for the single purpose of considering eligibility for wild and scenic river designation in Alaska.
60.	Wild and Scenic River Studies While BLM apparently does not consider studies which are incorporated into resource management plans to be single purpose studies, the purpose of the wild and scenic review for Bering Sea-Western Interior planning area is clearly stated in the Preparation Plan (page 12) as "Rivers that are found suitable for inclusion in the Wild and Scenic River System may be recommended to Congress for designation." In Alaska, such studies are in direct conflict with ANILCA Section 1326(b). Furthermore, the intent of Congress in ANILCA was not to authorize an endless cycle of studies but to provide finality to the lengthy studies and deliberations that led to the passage of ANILCA. That intent is clearly stated in ANILCA Section 101(d):"This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby. [Emphasis added] " While maintaining the above objection, when considering river suitability, a study must consider the potential land ownership pattern following completion of State and Native land conveyances. Highly fragmented land ownership does not lend itself to Wild and Scenic river corridor management. In addition, the provisions in ANILCA that apply to CSUs would apply to any new rivers designated by Congress, such as allowing motorized access pursuant to Section 1110(a) and (b) and the Title XI Transportation and Utility System (TUS) process. Any interim management prescriptions applied to rivers identified as suitable for recommendation to protect outstandingly remarkable values cannot be more restrictive than the provisions that would apply to congressionally designated Wild and Scenic rivers.
61.	Lands With Wilderness Characteristics The State has significant concerns regarding the implementation of BLM Manual 6310 to inventory and apply protective measures to lands with wilderness characteristics (LWC) in Alaska. Given that the majority of federal lands in Alaska contain wilderness characteristics as described in the Manual (e.g. 99% of the Eastern Interior planning area qualified as LWCs), implementing restrictive measures to protect LWCs could result in a continual erosion of available multiple use lands and potentially lead to extensive limits on uses and activities in vast areas of the State. This would threaten the delicate balance regarding the designation of public lands achieved through ANILCA, as indicated in Section 101(d). In addition, ANILCA Section 1320 specifically exempts BLM lands in Alaska from FLPMA Section 603. As a result, BLM is not allowed to manage lands recommended for wilderness designation to the non-impairment standard and is instead directed to manage in accordance with applicable land use plans. "In the absence of congressional action relating to any such recommendation of the Secretary, the Bureau of Land Management shall manage all such areas which are within its jurisdiction in accordance with the applicable land use plans and applicable provisions of law. (Emphasis added, ANILCA Section 1320) "
62.	Lands With Wilderness Characteristics In lieu of conducting wilderness reviews, which carry this specific limitation in Alaska, BLM is implementing portions of Secretarial Order 3310 as represented in BLM Instruction Manual 2011-154 to administratively identify and subsequently protect LWCs through the land use planning process. While BLM does not call the action a wilderness review, the basis for the policy is the Wilderness Act, and the State is concerned that by protecting LWCs through the land use planning process, the policy is circumventing congressional direction in ANILCA Section 1320 to continue multiple use management on recommended lands pending any action from Congress. LWCs are not recommended wilderness;

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	therefore, they should not be managed more restrictively than Congress allows for recommended wilderness. BLM must therefore not apply management prescriptions to LWCs, which would equate with the non-impairment standard in FLPMA Section 603, thus conflicting with ANILCA Section 1320. BLM should also not apply management prescriptions, which would result in lands being managed more restrictively than ANILCA CSUs. This includes any actions that would effectively result in a land withdrawal, which without subsequent Congressional approval would violate ANILCA Section 1326(a).
63.	ACCESS and ANILCA Section 811 of ANILCA provides for subsistence access on all federal public lands, including access by Off Highway Vehicles (OHVs) where traditionally employed, subject to reasonable regulation: "(a) The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resource on the public lands. (b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation. [Emphasis added] " To date, BLM has not promulgated implementing regulations for ANILCA Section 811; however, the BLM Director's Protest Resolution Report for the Delta River SRMA Plan and East Alaska RMP Amendment stated, "BLM will continue to strive to be consistent with other Federal land management agencies in this regard." The U.S. Fish and Wildlife Service (FWS) and the National Park Service (NPS) Section 811 implementing regulations are at 50 CFR 36.12 and 36 CFR 13.460 respectively. Pursuant to both sets of regulations, subsistence access closures or restrictions (including such actions as size and weight limitations and off-trail limitations) may only be implemented when certain criteria have been met and notice and hearing requirements have been followed. While ANILCA Section 810 requires agencies to evaluate the impacts of proposed actions on subsistence resources and uses, including access, NPS and FWS regulations established a separate and distinct process for implementing access restrictions. Similar to BLM, the USDA Forest Service also does not have ANILCA Section 811 regulations. To resolve the inconsistency between the national 2005 Travel Management Rule and ANILCA, the Forest Service, in consultation with the State, developed regional policy guidance, which is consistent with the intent of ANILCA and other DOI agency ANILCA implementing regulations. To ensure the consistent implementation of ANILCA across Alaska's public lands, we request BLM develop similar regional guidance.
64.	ACCESS and ANILCA Section 1110(a) Section 1110(a) also applies to CSUs within the planning area, including the Unalakleet Wild River and the BLM managed Iditarod National Historic Trail (NHT). Section 1110(a) allows for snowmachines, motorboats, airplanes, and nonmotorized surface transportation for traditional activities and travel to and from villages and homesites, subject to reasonable regulation. Implementing DOI regulations at 43 CFR 36.11 require a public hearing and rulemaking to implement closures, along with a finding that the use would be detrimental to the resource values of the area. To fully inform the public, we request the plan clearly describe these access provisions, including where they apply on the ground. In addition, should the plan propose restrictions or closures, we request they be clearly described along with appropriate justification. The guidance in the BLM Alaska Long Range Transportation Plan (LRTP) to exclude primitive roads and motorized/mechanized trails from the BLM transportation system in areas where LWCs are protected would preclude maintaining transportation connectivity in the planning area. This exclusion from the BLM transportation system would prevent funding maintenance and improvements for the motorized/mechanized trails, and could have serious negative impacts on the transportation, economics, and social justice for this area. The RMP Environmental Impact Statement (EIS) should include a comprehensive trail inventory and fully evaluate these impacts. For example, the Iditarod NHT crosses BLM land within the planning area. As a CSU under ANILCA, motorized access is allowed pursuant to Section 1110, in addition to Section 811 which applies to all BLM land. The LRTP states "it is widely accepted that there are unknown miles of additional undocumented trails" (p. 11). The lack of a comprehensive trail inventory on BLM lands

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	could result in unforeseen impacts from decisions to protect wilderness characteristics.
65.	ANILCA Title XI Process The ANILCA Title XI Transportation and Utility Systems process applies to CSUs within the planning area, including the Unalakleet Wild River and sections of the Iditarod NHT managed by BLM. RMP-level decisions, such as right-of-way exclusion and avoidance corridors would not preclude the implementation of the TUS process should a project be proposed within these boundaries.
66.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
67.	Access & Travel Management Public access has and will continue to be an issue of concern for the State. All current easements and potential points and routes of access are important for the opportunity to access public lands and resources beyond areas of current transportation corridors and should be reserved and developed where possible and to the maximum extent practicable. In particular, we would like to see inclusion of the following route types in the BSWI RMP analysis, future maps and documentation: • Iditarod Race Trail • Iditarod National Historic Trail(s) • Iron Dog • Secondary Roads • Winter Trails • RS 2477 • 17(b) easements
68.	Access & Travel Management We are pleased to see a wide variety of land based routes being included in the planning process from an early stage.

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	However, Revised Statute 2477 (RS 2477) rights-of-way), 17(b) easements, and the Iron Dog route are not depicted on maps nor discussed in the existing documentation. These are broad data sets that are readily available and have legal or management implications to transportation. Inclusion of RS 2477 routes, 17(b) easements, and the Iron Dog route on maps and in documentation, as appropriate, would greatly improve the ability of land managers to anticipate the impacts that transportation policy within the BSWI plan may have. The transportation section of this plan should seek to understand both the existing physical and legal network of transportation routes within, adjacent or leading to the planning area. Since one of the key objectives of the plan is to provide guidance as to "the conditions under which land and resource use and development may occur" it would seem prudent to present the most complete understanding of physical and legal land based transportation network as possible. Additionally, the inclusion of RS 2477 routes and 17(b) easements is required as part of the Preliminary Planning Criteria outlined in the Preparation Plan for the BSWI RMP states, "Valid existing rights will be recognized and protected." Throughout the planning process the State requests BLM provide depictions, documentation, and discussion of the physical and legal land based transportation network improved upon as additional information is provided by the various contributing parties, stakeholders, and public.
69.	RS-2477 The State of Alaska claims numerous rights-of-way across federal land under RS 2477, including rights-of-way identified in AS 19.30.400. As recommended for previous plans, we ask that BLM use the following language to describe RS 2477 routes identified by the State. The limited definition helps to withstand minor policy changes, and the language has been thoroughly vetted by associated divisions and managers within the State: Under Revised Statute (RS) 2477, Congress granted a right-of-way for the construction of highways over unreserved public land. Under Alaska law, the grant could be accepted by either a positive act by the appropriate public authorities or by public use. "Highways" under state law include roads, trails, paths, and other common routes open to the public. Although RS 2477 was repealed in 1976, a savings clause preserved any existing RS 2477 right-of-way.
70.	17(b) Easements As noted above for RS 2477s, we also ask that the BLM use the following language to describe 17(b) easements: Section 17(b) of Alaska Native Claims Settlement Act (ANCSA) provided for the reservation of easements across Native Village and Regional Corporation lands to provide public access to publicly owned lands (including waters) for the purpose of recreation, hunting, transportation, utilities, docks, and other similar public uses. The BLM is responsible for identifying and reserving these easements during the conveyance process. The management of these easements lies with BLM or the appropriate federal land manager (i.e., USFWS, NPS). The BLM does not have a similar agreement for transferring easement management to the State of Alaska. Consequently, BLM retains management responsibilities for easements reserved to access State lands. BLM has not developed an easement management policy that provides a mechanism by which to address the concerns of landowners and easement users. Current problems include poorly or inaccurately placed easements, trails that allow for ORV use being aligned through wetlands, discontinuous easements, and lack of easement marking. In addition, there is currently no inventory on the status or condition of the easements. This is an important aspect of easement management that seriously needs to be addressed.
71.	Recreation The State's primary recreational interest in BLM lands, both state-selected and non-selected, is continued access for both motorized and non-motorized uses for a wide variety of recreational activities, including the access method itself. Equally important is management of these lands so that they are not subject to damage by such use. The State's goals and objectives relative to recreation can be found in the Statewide Comprehensive Outdoor Recreation Plan, State Area and Management plans and Generally Allowed Uses on State Land should also be considered in developing management recommendations for state-selected lands and federally owned areas adjacent to state lands. In previous planning efforts, the State has firmly asserted that limiting general user days is usually not a viable option for managing user conflicts in rural

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	Alaska. This includes such management approaches as mandatory registration or permit systems, and seasonal closures not based on physical resource concerns. The planning area consists of relatively remote areas providing a diversity of opportunities that offer a broad range of user activities, which reduce potential user conflicts. However, where user conflicts do exist, and the plan proposes use limits for mitigation (even if through a subsequent planning process), the BLM is effectively limiting itself to one set of tools. An example of the variety of available tools for managing public use is found on page 47 of the 2006 Denali National Park and Preserve Final Backcountry Management Plan (see reference section.) We recommend using the least restrictive tool to address user conflicts including education, voluntary registration systems, and enforceable stipulations for commercial operators. Planning decisions should be adaptive to changes of resource use at different scales. Generally, recreational activities can impact resources where they are concentrated. Impacts may be reduced by allowing and/or developing the opportunity for resource users to disperse, and with the use of low impact modes of transportation (e.g., aircraft, watercraft, light fully-tracked vehicles), and seasonal all-terrain vehicles (e.g., snowmachines, 4-wheelers) when and where practicable. All areas, resources, and types of recreational activities are important. The RMP should allow for the use of existing cabins and construction of new public use/shelter cabins for all activities including seasonal activities, such as trapping or back country skiing. It is worth noting that the planning area could be affected by the future implementation of the DNR Guide Concession Program. In June 2012, DNR formed an Interagency Steering Committee with representatives from ADF&G, Division of Parks and Outdoor Recreation (DPOR), and BLM. The purpose of the committee is to cooperatively design and develop the framework of the Guide Concession Program.
72.	Mineral Management Resource exploration and development is a priority of the State, and therefore we request that BLM consult with the DNR before taking any actions that could negatively impact resource exploration and development, especially on State owned and state-selected lands. We request that BLM recognize the State's need and intent to facilitate resource exploration and development of mineral resources in the planning area. There are many mineral prospects and operating mines located within the planning area. We request that access for transportation and utility infrastructure to these mineralized areas be considered. Planning for BLM lands located near or adjacent to these mineralized areas should take into account the need for flexibility in planning for access and supporting infrastructure based on land ownership and physical characteristics of the terrain. Year-round access within the planning area utilizing existing access trails as much as possible, will reduce the need for large helicopters to move supporting equipment and materials as exploration and development progresses.
73.	Mineral Management Construction materials resources are required for the development, maintenance, and expansion of such mining-related infrastructure, as well as roads, pipelines, airports, businesses, residences, utilities, communication facilities, and similar types of projects required to support other existing and planned development. Transport of materials over any significant distance (e.g., more than 1000 ft from an existing road) quickly makes their use cost prohibitive, thus lack of materials sites within a reasonable distance from projects effectively prevents maintenance and development activities that are necessary and/or desirable. BLM acknowledges that "BLM-managed lands will be critical to developing the communications, transportation, and utilities infrastructure needed to support mining development on State and Native lands in the Planning Area" (Preparation Plan, Planning Issues and Management Concerns, subsection C. Mineral Development). Recognizing the critical need for construction material resources wherever infrastructure is present or planned, we strongly recommend that the BSWI RMP explicitly address the issue to facilitate appropriate development and maintenance activities wherever they may occur: • In addition to the specific areas of high mineral potential, consideration should be given to identifying prospective transportation corridors and

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	related infrastructure, and the construction materials resources (sand and gravel, fill, etc.) that are required to support permissible development. • Similar consideration should be given to identifying such critical resources in any areas in which infrastructure currently exists in support of local communities, as well as their anticipated expansion and access needs. • Consider adding a clause to the BSWI RMP explicitly stating that areas within 1000 feet of existing and planned infrastructure and community development should be managed for materials resources in order to facilitate necessary maintenance and appropriate development. In addition, we ask that BLM consider removing the word "protection" when posing questions about resource development in this RMP, as it implies that mitigation measures and reclamation requirements would not be stipulated to and enforced.
74.	Mineral Management Transportation of equipment to mine sites should be routed in uplands to the maximum extent practicable to avoid crossing waterbodies and/or require winter transport, particularly when crossing fish-bearing waterbodies. Stream substrate of crossing locations should be composed predominately of cobble. For all-season routes trails should be required to be developed and maintained to support given equipment, and other resource users should have access along these trails. Consultation with ADF&G's Division of Habitat and/or Title 16 Fish Habitat Permit is required for all work below the ordinary high water (OHW) mark, including stream crossings of fish-bearing water bodies and to determine if a permit is required.
75.	The development of the Donlin Gold Mine Environmental Impact Statement (EIS) and the BSWI RMP seem to be developing on parallel time lines. As BLM is the lead for the RMP and also serves as a Cooperating Agency for the Donlin Gold EIS it is incumbent upon BLM to make sure that each respective team is informed of where each project is at and that proactive steps are being taken to make sure that each process is not unnecessarily delayed or impacted. In general, information should be shared between the two projects and studies and any other necessary considerations that could impact the projects down the road should be thought out and planned ahead of the time. These projects both demand a lot of time and resources and BLM should ensure that those resources are not wasted or used ineffectively. Please explain how these two processes are being coordinated internally (within BLM) and what steps are being taken to ensure that time, money, and resources are not potentially being wasted by unnecessary impacts, by Federal and State agencies, tribal entities, public stakeholders, and other entities working on the Donlin Gold EIS. We recommend BLM add Mineral and Energy resources to the BSWI Issues to be Considered, list of Management of Resources.
76.	Alaska Native Claims Settlement Act 17(d)(1) withdrawals Section 207 of the Alaska Land Transfer Acceleration Act (Public Law 108-452) directed the Secretary of the Interior to provide Congress with a report reviewing all the Public Land Orders (PLO) pursuant to Section 17(d)(1) of the Alaska Native Claims Settlement Act (ANCSA). The 2006 report recommended that BLM's land use planning process would serve as the means to review the d-1 withdrawals and make determinations regarding opening lands to other uses and activities. This report provided maps that identified these areas and offered recommendations for which lands should be removed from the domain of (d)(1). Therefore, the State requests that all land withdrawals be identified and mapped, along with their purpose stated, as well as provide justification for retaining or releasing the PLO. The 2006 BLM report to Congress regarding the ANCSA 17(d)(1) withdrawals recommended that much of the land within the BSWI RMP should be removed from the domain of (d)(1). Portions of the BSWI RMP are located within Areas 5, 6, and 9 of that document. The report recommends that 98%, 97% and 100% (respectively) of the (d)(1) withdrawals should be lifted. We support BLM's 2006 recommendations to Congress, but if the BSWI RMP recommendations deviate from that report, we ask that the plan clearly identify the reasons why, and that the State be consulted on the matter.
77.	Special Designations We request that any actions taken to designate special management areas be coordinated with the State at all stages. This is of

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	particular importance if proposed restrictions, such as seasonal closures or limits on visitor use days, affect State lands, waters, or authorities or if deviations from State land use plans are considered. Any area and/or corridor system designated for any special purpose should be selected with a high level of public support. Because special management area designations have the potential to impose additional limitations or management strategies on public lands, these designated areas should be delineated judiciously in order to balance public use with the protection of public resources. Proposed additions should be for the same purposes, with special attention paid to both relevance and importance per 43 CFR 1610.7-2. We request that proposed designations, and or additions, focus on the exact amount of land necessary to ensure the appropriate management status for specific resource management issues, and encompass the smallest area required for the underlying purpose of the designation. Special areas should be open to other resource users to the extent practicable and compatible with the give designation. If past BLM plans provide a guide, we understand potential limitations within areas of special designation may be further defined in subsequent "step-down" management plans. If limitations are proposed on BLM lands through the RMP process, we request that the plan include a thorough analysis of the use and associated issues and concerns. If subsequent planning or inventory activities are needed to support the proposed limitations, we recommend including an associated timeframe for completion of the additional work.
78.	Navigable Waters Determination of which waters are navigable or non-navigable is an on-going process in Alaska at both the administrative and judicial levels. Further state research on potentially navigable rivers is ongoing. We ask that the plan be especially clear that BLM management of submerged lands and shorelands is only applicable to those beds that have been determined to be federally-owned water bodies within the planning area. Ownership of lands below the ordinary high water mark of navigable water bodies (which were not reserved prior to statehood) transferred to the State at the time of statehood under the authority of the United States Constitution, the Alaska Statehood Act of 1959, the Submerged Lands Act of 1953, and under the Equal Footing Doctrine. Clarification of management authority can help the public understand where proposed management prescriptions may apply within the area. Public use of natural resources, including the waters of the State, is protected in Article 8 of the Alaska State Constitution and in current statutes and regulations. Current public uses occurring on rivers within the planning area are consistent with State statutes and regulations, and at this time effects associated with such use on these waterbodies appear to be negligible. There are numerous State asserted navigable waterways in the planning area, and until the matter of navigability on individual waterways is determined, we ask that no changes to management be made on them. We request that BLM work with the State concerning specific water bodies in order to resolve issues concerning ownership and use of rivers, lakes, and streams within BLM owned lands where perceived management conflicts may arise. Cooperative management agreements between the BLM, the State, and other landowners may be developed when needed for specific waterways within the planning area.
79.	Lands and Realty All areas and potential points and routes of access are important and should be considered. BLM should acquire all appropriate acreage and potential points and routes of access that will provide consistent access at reasonable intervals along all transportation corridors. Any new rights-of-way, including routes to private inholdings should be available for use by all resources users, except where restricting some uses (e.g., transport of heavy equipment) may be necessary.
80.	In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the

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	most commonly expressed issues. • The plan must be developed in accordance with the provision of ANILCA. • DNR Area Plans establish management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for these areas. • The State requests that BLM recognize existing state authorities relative to fish and wildlife management. • If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas. • State and native selections should be identified in the plan. • Reasonable consistency or compatibility in terms of management will minimize user conflicts and confusion. • If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access. • The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple uses. The State appreciates efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible. Thank you for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.
81.	Recreation Management The BLM Bering Sea Western Interior Field Office provides little to no information about current recreational management taking place in their pre-planning document. More information is needed in order to gain meaningful understanding of recreational activity within this planning area.
82.	Recreation Management Goals Travel Management Goals Goal 1: Prohibit new road development within the primitive recreation zones. Goal 2: Prohibit road development within RNAs and ACECs.
83.	Roads, General Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion. Roads can cause disruptions in the physical and chemical environments surrounding it, which can affect the health of lichen and animals that consume it. Roads and traffic cause physical harm to lichens and mosses as well as spread dust that can settle on plants blocking photosynthesis, respiration, and transpiration (Auerbach 1997, Ecological Applications "Effects of Roadside disturbance on Substrate and Vegetation Properties in Arctic Tundra."). Roads can also impact plants by introducing heavy metal deposition, salt accumulation, and by organic molecules like ozone and nutrients into the area. The National Park Service conducted a study in 2004 on cadmium and lead deposition on lands near Red Dog Mine and found heavy metals at their highest concentrations in plants nearest the road, and that decreased with distance. Heavy metals can accumulate in plants and then move up the food chain eventually to humans. If new roads are considered, the accumulated uses of the road, like the hauling of minerals or coal, is an important factor to consider. Building permanent gravel roads creates unnecessary access to wild lands, disturbs vegetation, and breaks up habitat. The proposed road will have both

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	direct and indirect impacts. One of the major impacts of roads on tundra is that they melt permafrost and increase the depth of the tundra's active layer, leading to thermokarst adjacent to roads.16 Dust shadows on the leeward side of roads can accelerate snow melt and alter the surrounding plant communities, while drifted snow on the windward sides of roads can delay snowmelt, and the damming effects of roads can create impoundments.17 According to the NRC, "the area affected by thermokarst and impoundment associated with gravel fill is approximately double the area covered by gravel."
84.	Roads, General Flooding is another major effect of roads on tundra that must be considered. Drainage patterns on flat tundra, such as that found in parts of the proposed project area, can be complex, with many unconnected drainage systems.19 Culverts are difficult to position, and even when positioned properly are often frozen during spring melt.20 The Corps must take into account the environmental impacts of such flooding, as well as other indirect effects from roads such as the introduction of nonnative species. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Crude oil transmission pipelines without roads may not result in increased air traffic as there are federal requirements for monitoring rights of way (biweekly monitoring with aerial monitoring used most commonly, see 49 CRF 195.412(a)). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring, although its effectiveness needs to be evaluated. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. a) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including 1) if technically feasible, the continuous capability to detect a daily discharge equal to not more than one percent of daily throughput; 2) flow verification through an accounting method, at least once every 24 hours; and 3) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. b) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. However, BLM must also address any requirements for gathering lines within oil fields.
85.	Roads Provide Increased Access Road development can also allow for increased public access to areas where competing uses were not at issue before. At issue is whether new or existing roads would be open to the public. Negative impacts from increased access include loss and degradation of subsistence resources, cultural resources, archeological and anthropological sites, harm to food security and human health impacts, loss of wilderness and wildlands, loss of scientific baselines associated with intact and remote landscapes, impairment of visual resources and loss of scenic beauty, and degradation of wilderness recreational values including remote hunting and fishing experiences. The road, if open to the public, would allow access to waterways by snowmachines, jetboats, and other recreational or sport uses that could have

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	devastating impacts on nesting and foraging grounds for raptors, waterfowl, shorebirds, and any other species (bird, mammal or otherwise) concentrated along river corridors. Public access could bring detrimental effects from increased visitor numbers that can disrupt subsistence uses, compete with subsistence uses, and degrade the quality of those resources and the environment supporting the resources. For example, increased access for urban hunters and sports hunters would impact the subsistence harvests by disruption as well as by direct competition. Hunting will also bring more intensive state and federal management of the area. There is very little data about the impacts of highways and roads on caribou migration patterns. Local communities rely on seasonal caribou migration to provide for family and community members. A road itself could further impact subsistence use because a road has the potential to alter the caribou's migration, and that impact could be worse if the road is heavily trafficked, resulting in more noise, pollution, and people. If a road were to change caribou migration patterns and in turn force people to travel farther from the village, many people would not be able to participate in an activity that defines who they are. This jeopardizes the very culture of the local community.
86.	Proposed Pipeline It is estimated that the proposed Donlin Gold mine would require an average load of 157 megawatts. To provide the amount of power required to operate the mine at peak capacity, a 14 inch, 312 mile long buried pipeline to transport natural gas from the Cook Inlet region to the mine site is being considered. This would be an alternative to barging in diesel fuel from Bethel. If the pipeline is included in development, approximately two barges per day would take small amounts of diesel fuel and camp supplies from Bethel to a port site approximately eight miles downriver from Crooked Creek, and would then be transported on a 30 mile access road to the mine site. Many other options to provide power such as coal, hydroelectricity, a power line intertie, biofuel, and even nuclear energy, were considered during the feasibility analysis but did not meet the current needs of the project. This infrastructure and energy requirement for the Donlin Creek Gold mine must be considered in the short and long term impact analysis to BLM lands.
87.	Mineral Management Goals Recommendations: • Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. • BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. • BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. • The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. • BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. • The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. • The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands.

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	• The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. • The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
88.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
89.	Form Letter Master: The Alaska Wilderness League asked our membership and supporters to provide comments and concerns regarding planning in your areas. Specifically, we are asking that no new development is allowed and that mineral withdrawals remain in place. Please consider these comments as you develop the management alternatives for the Bering Sea Western Interior and Central Yukon Planning Areas. The Central Yukon and Bering Sea-Western Interior planning areas include vast populations of wildlife including caribou, moose, wolves, bears, migratory birds and fish. Both Alaska Natives and surrounding communities depend upon the bounty of the lands and waters for their livelihoods as commercial fisherman, and for subsistence, cultural and traditional practices.

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	Yet, development projects including mines, roads and associated infrastructure could pose significant negative impacts on surrounding communities, including water degradation and reduced access to subsistence resources. The Bureau of Land Management should make sure that wildlife and our cultural history are preserved through these planning processes and that each area's existing mineral withdrawals (which currently prohibit mining and oil and gas development within each area) remain in effect, ensuring balance in both of the management plans.
90.	THE LEGAL FRAMEWORK FOR PLANNING The Alaska National Interest Lands Conservation Act (ANILCA) provides some direction on how BLM must undertake the planning process, especially regarding subsistence and Wild and Scenic Rivers. Alaska National Interest Lands Conservation Act Section 810 recognizes that subsistence uses are a critical public interest and provides a framework to consider and protect subsistence uses in BLM's decision making process. Section 810 does not "prohibit all federal land use actions which would adversely affect subsistence resources but sets forth a procedure through which such effects must be considered and provides that actions which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized." 1 (Emphasis added.) Accordingly, Section 810 of ANILCA, 16 U.S.C. § 3120, imposes a two-tiered process to evaluate a project's impacts on subsistence uses. First, BLM must evaluate the effect of its land management action on "subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes." 16 U.S.C. § 3120(a). If BLM determines that the activity will not "significantly restrict subsistence uses," id., then BLM would issue a Finding of No Significant Restriction, and the requirements of Section 810 are satisfied. However, if BLM makes the initial determination that the action would "significantly restrict subsistence uses," the BLM must then determine whether any restriction on subsistence is necessary, involves the minimal amount of public lands necessary to accomplish the purpose of the use, occupancy or disposition of public lands, and takes steps to minimize the adverse impacts to subsistence uses and resources. 16 U.S.C. § 3120(a)(1)–(3).
91.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
92.	Rapid Ecoregional Assessment as Public Participation Tool The bureau's Rapid Ecoregional Assessment (REA), led by the University of Alaska Natural Heritage Program for the Bering Sea Western Interior planning area will undoubtedly provide essential information to the draft plan. As data is available through the REA, it should be made available to the public. We would note that other bureau offices have made such data available to the public to assist in identifying new data needs and also have made base data

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	available for public use. By way of example, along with its release of the Draft RMP, the Arizona Strip Field Office provided GIS files for all map data layers contained in the Draft RMP (http://www.blm.gov/az/GIS/files.htm#strip). The server space required for this operation is minimal and without this information, effective public participation in this process is severely hampered. This type of public participation is also consistent with the BLM's Land Use Planning Handbook (H-1601-1), which states that, "Documentation supporting the analysis of the management situation should be maintained in the field office for public review" (Section III.A.4) and that, "Alternatives should be developed in an open, collaborative manner, to the extent possible" (Section III.A.5). In another example, the St. George Field Office (Utah) employed GIS technology to assist commenters on the route inventory at open houses for its travel management planning process, which helped the public make substantive comments on routes. After the scoping meetings were concluded, BLM scheduled regular days and times that the public could visit the field office and work with GIS/Recreation staff with real-time GIS and aerial photos. We recognize accessing remote communities is a challenge, we encourage the Anchorage Field Office to make electronic communication and electronic information widely available. Similarly, we recommend making GIS staff and data available to assist the public with mapping information and comments on the Bering Sea Western Interior plan.
93.	Rapid Ecoregional Assessment as Public Participation Tool Making analyses available before issuing the draft plan is another excellent way to increase public understanding and participation in the planning process. The Kemmerer Field Office (Wyoming), for example, made their analysis of comments submitted on the Draft Resource Management Plan (RMP) and their Area of Critical Environmental Concern (ACEC) evaluations public by posting them on their website months before they issued the Proposed RMP/FEIS. The Uncompahgre Field Office (Colorado) made its draft evaluation of ACEC proposals available for public comment, and also posted its Visual Resource Inventory Scenic Quality Ratings online (http://www.blm.gov/co/st/en/fo/ufo/uncompahgre_rmp.html). Making such analyses available to the public before the publication of the formal draft planning documents will better prepare participants to understand the complex analyses and large amounts of data in the drafts and increase the relevance and usefulness of comments and other public participation. We hope to see these types of opportunities provided to the many members of the public who are interested in the development of the Bering Sea Western Interior RMP.
94.	LAND TENURE DECISIONS BLM should look at future land tenure decisions with an eye toward maintaining key habitats and taking into consideration new proposals for trails and special management areas. Section 102(a)(1) of FLPMA requires that BLM-managed lands be retained in federal ownership unless BLM determines through the land use planning process that disposal of a particular parcel will serve the national interest. 43 U.S.C. 1701. Land tenure decisions must achieve the goals, standards, and objectives outlined in the land use plan. We recognize that the State of Alaska, with substantial selected federal acreage in the Bering Sea Western Interior planning area, has over-selected federal land by a significant amount. Because of this, some state-selected lands in the Bering Sea Western Interior planning area will, in fact, not become state owned and managed. Great care, therefore, should be taken to not write-off the state-selected BLM lands as we know some of these lands will remain in BLM management. We recognize land disposal may be appropriate in some areas. However, the BLM should retain land near sensitive and ecologically important areas, including those within existing or proposed ACECs or other special management areas, and including citizen-proposed special management areas. Lands identified in new citizen proposals for special management that include lands not owned by BLM should be given priority for acquisition. BLM should only pursue land tenure decisions if they will serve the national interest by supporting key values and resources, such as protecting ecologically

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	important areas and providing open space. In addition, disposal or exchange may be appropriate where the BLM determines that lands will be valuable for wildlife corridors. As local entities are also developing plans and considering the best uses for nearby lands, the relationship between the Resource Management Plan and these proximate plans will be important, since BLM's decisions can affect local open space, parks and trail plans. Particular care should be taken to prevent sale or exchange of BLM parcels highly valued by local communities for wildlife habitat, natural values, subsistence resources and recreation opportunities they provide. Further, disposal or exchange may be appropriate to assist with development around local communities. Recommendation: The BLM should work with local governments and tribes when identifying areas where disposal of public lands may be appropriate. However, BLM should first identify areas such as ACECs, citizen wilderness proposals, or sensitive species habitat for retention and acquisition. BLM should carefully manage state over-selected lands and should not dispose of parcels valued by local communities for their open space, wildlife habitat, subsistence values and recreation opportunities.
95.	TRAVEL MANAGEMENT BLM's internal guidance states that "each RMP will divide planning areas into OHV area designations that are open, limited or closed." IM No. 2004-005, see also 43 C.F.R. § 8342.2(b). This internal guidance was also incorporated into the updated version of BLM's Land Use Planning Handbook. H-1601, Appendix C, Section II.D (Comprehensive Trails and Travel Management). The Land Use Planning Handbook states that BLM should: • Complete a defined travel management network (system of areas, roads and/or trails) during the development of the land use plan, to the extent practical. If it is not practical to define or delineate the travel management network during the land use planning process, a preliminary network must be identified and a process established to select a final travel management network. (Emphasis added.) • Special management areas, such as ACECs, recreation management areas and citizen-proposed wilderness, must include travel designations within their boundaries Recommendation: BLM must complete comprehensive travel management concurrently with the RMP process. The RMP should also identify priority areas for implementation of the travel plan.
96.	ROADS Because one of the key decisions bureau land managers will make is whether or not there will be new roads across a planning area, there should be planning criteria associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of additional planning criteria. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines.

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	a) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including 1) if technically feasible, the continuous capability to detect a daily discharge 2) equal to not more than one percent of daily throughput; 3) flow verification through an accounting method, at least once every 24 hours; and 4) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. b) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. Given these existing requirements, there does not need to be any additional aerial, visual surveillance of a crude oil transmission pipeline that does not have an associated road. Because 18 AAC 75.055 (b) requires that the flow of oil must be stopped within one hour of discharge detection, shut-down for Arctic crude oil transmission pipelines would be done by remotely-operated valves. Additionally, roads are not necessary for transmission pipeline leak and spill cleanup. Helicopters and snowmachines could be used in the winter for access. Low-ground-pressure vehicles could be used in the summer, as will be allowed in the NPRA to complete specific tasks (Final Integrated Activity Plan, Chapter 4, p. 46). Similarly, mines can be accessed via rail rather than via road to reduce subsistence and habitat impacts. Recommendation: We propose the bureau consider non-road alternatives a priority over road developments to minimize adverse impacts to subsistence and wildlife habitat, as an additional planning criterion.
97.	As for the Georgetown area, it is important that our tribal lands remain intact so that our current and future members will have a place to call home. The traditional fishing and hunting grounds around Georgetown are of great importance to our people and any decisions made need to consider and protect those locations (Brown, pg 99). The George River not only provides hunting and fishing opportunities to those in the region, but it also allows the local population to access ancestral grounds that go back hundreds of years.
98.	Included in this document are three maps of the Georgetown area, an "Overall Site Context" map, a "Site Analysis" map, and a map documenting important subsistence and environmental areas. These include only some of the areas and specific locations that are important to the Native Village of Georgetown, mainly those in close proximity to Georgetown itself. The locations marked in red on the site context map mark areas of cultural significance to our members. The Site Analysis Map should give you a general idea of the layout of the land. The "Environmental and Subsistence Areas of Significance" map marks specific locations as related to the location of Georgetown Native Allotments. Georgetown Members have a fish camp on the river, and spend two or three weeks every summer harvesting salmon for their families. ADF&G and the Kuskokwim Native Association have a fish weir on the George River, which helps to monitor the escapement of salmon to their spawning grounds on the George River. Lastly, the GTC is in the process of collecting baseline water quality data for the protection of water quality in the Kuskokwim and George Rivers, These areas need to be preserved for our members, and for future generations. In a recently published report by the Alaska Department of Fish & Game, the subsistence use details of Georgetown members is well documented (Brown, 2013). Technical Paper No. 379, pages 81-113, summarizes the results of a study conducted on 21 households in 2010 that included members of Georgetown. Page 99 of this document includes a map identifying "harvest locations and search areas for all resources" of Georgetown members who contributed to the research done for the paper. The GTC asks that those documented subsistence needs and areas be recognized and considered, while the RMP is being updated.
99.	<u>A. Impacts to salmon stocks;</u> In analyzing the impacts of the proposed management action, BLM must analyze the impacts to Chinook, summer and fall Chum, Coho, Sockeye and

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	Pink salmon in the Yukon River and its tributaries. Analysis should include impacts from increased mineral development including but not limited to: leaching, direct exposure to chemicals at various stages of the salmon lifecycle, and impacts to habitat from mineral development itself and the associated roads. Direct and indirect impacts to salmon should be analyzed for each management alternative, including changes to (d)(1) withdrawal status. Yukon River salmon runs experienced run failures in 2000 and 2001. While chum salmon runs have been high in recent years, Chinook salmon have continued to struggle towards recovery. Because the Chinook salmon of the Yukon River spawn in both the United States and Canada, a bilateral treaty governs these runs. The Yukon River Salmon Agreement (YRSA), an annex to the Pacific Salmon Treaty sets out specific requirements and the Yukon River Panel, composed of United States and Canadian representatives, sets specific escapement goals for Canadian bound fish. Despite drastic conservation measures, both in Alaska and Canada, escapement goals have not been met for five of the last seven years Impacts to salmon stocks should be analyzed in light of the extremely fragile state of this salmon run, and its extreme importance to subsistence and commercial users (discussed below). The BSWI RMP should embrace a precautionary approach, limiting additional mineral and other development unless it can be shown that there will be absolutely no detrimental impacts to salmon populations. To ensure that impacts on salmon stocks are adequately analyzed, both the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G) should be consulted on this EIS because of their expertise in and shared management responsibility for Yukon River salmon populations.
100.	<u>D. Yukon River Salmon Act (YRSA) treaty obligations;</u> Under the terms of the YRSA, which was ratified in 2002, the United States is bound to pass a set number of Chinook and fall chum salmon across the Canadian border to provide for Canadian harvests and escapement needs. Chinook salmon escapement requirements have not been met for the last five of seven years. In addition to specific escapement requirements, the YRSA also mandates habitat protection: 30. In light of the benefits they receive from the salmon originating in their portions of the Yukon River, the Parties agree that: a) salmon should be afforded unobstructed access to and from, and use of, existing migration, spawning and rearing habitats; b) respective water quality standards should be maintained and enforced; c) productive capacity of the salmon habitat on both sides of the Alaska-Yukon border should be maintained in order to achieve the objectives of this Chapter; and d) should access be obstructed, water quality standards be degraded or productive capacity of the salmon habitat be diminished to a degree that affects the objectives established in this Chapter, the Yukon River Panel may recommend corrective actions which may include adjustments to fishing patterns, border escapement objectives and guideline harvest ranges.2 Management measures adopted in the BSWI RMP must be compliant with the United States' escapement and habitat obligations under the YRSA.
101.	<u>Public Land Orders</u> The plan should evaluate all existing Public Land Orders (PLOs) in the planning area and recommend revocation of all obsolete and unnecessary PLOs and other land withdrawals. In particular, the plan should recommend revocation of all land withdrawals on BLM lands that were established pursuant to the Alaska Native Claims Settlement Act (ANCSA) Section (d)(1). When these withdrawals were put in place 40 years ago, they were intended to be temporary to enable ANCSA selections and for study for possible land classifications. ANCSA selections have long since been completed and the issue of

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permanent federal land classifications was settled with passage of the Alaska National Interest Lands Conservation Act (ANILCA) in 1980. Congress recognized that these withdrawals were obsolete when, in Section 207 of the Alaska Land Transfer Acceleration Act of 2004, it directed the Secretary of Interior to recommend possible revocation. The Secretary's conclusion contained in a June 2006 report to Congress was that many of these withdrawals are obsolete and decisions on revocation would be made through the BLM RMP process. Now is the time to fulfill the Secretary's commitment.

8.2.19 Issue 19: Recreation, Visitor Services, and Recreation Authorization permits

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1.	Closing the wild & scenic water to lodge fishing and stop the catch & release. I personally seen the infection it causes to the fish-I've observed bright silver king salmon lying on the bottom of the UNK river.
2.	Supportive of wolf-hunting/predator hunting on BLM lands
3.	easy access to black bear, too many black bear
4.	Kilbuck Mountains - Kilbuck herd converging with Mulchatna herd
5.	Tribal members living in cities are denied subsistence permits
6.	Currently, outfitters and guides operate in the area; they take from the communities but don't return to the communities; don't hire local, compete for resources
7.	Will there be any changes in subsistence and tribal members' rights?
8.	BLM lands also used for photography
9.	Supportive of local filming that would bring income and awareness of the area
10.	There was confusion over allowable subsistence cabins and Outfitter-Guide cabins on BLM lands
11.	Get some of our moose over in Paimute Slough, Unit 21e
12.	Trapping o Up Stuyahok Creek, up Mountain Creek, west of RM
13.	We see Supercubs land in town with big moose racks tied to the plane and no meat to pass to the village. Those Supercubs go back and land on BLM lands behind RM.
14.	Moose • We go near Pike Lake • We go up the Anvik River • Up Mountain Creek
15.	There is a historic mining route that went from Marshall to Kako Mine. The trail is overgrown. Don't know if Marshall might still use that historic trail. (don't know if it is a 17b easement or not? Unsure whether there is interest in the trail or restoring the trail) Some expressed interest in trail restoration for use as road or ATV trail.
16.	We go there for: Pike fishing; duck and geese hunting; moose hunting; youth cultural camps in September; and for trapping.
17.	This area is important at the end of spring for waterfowl hunting
18.	What is the status of Ryan cabin?
19.	Can we apply to construct a shelter cabin up the headwaters of the North River (tributary of Unalakleet) where we go caribou hunting?
20.	The moose hunt starts August 15 and it's too warm, it should start later.
21.	Many depend upon moose to get through the winter for family and extended family. Sport and guided hunters fly-over and take moose and leave less

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	for locals.
22.	We had a past, voluntary, 5-year moratorium on moose hunting
23.	Concerns expressed on behalf of Stebbins and St. Michaels residents who have even less than is available in Unalakleet, there are no jobs there and they really rely on BLM lands. Someone from outside had taken 5 moose in this area.
24.	Concerns expressed over Office of Subsistence Management / State decisions on subsistence harvests (moose).
25.	We travel the Iditarod Trail(s) to go all the way to Rohn from McGrath for fun. The conditions determine whether we take the race route or portions of the historic route.
26.	There are a lot of Guides that guide in Windy Pass area near the proposed pipeline (Donlin).
27.	In the winter, people from McGrath travel down the Kuskokwim and at Devil's elbow, go overland to some hotsprings on the Chuilnuk River on BLM land. If they cannot go overland from Devil's elbow, they travel further downriver and go all the way up the Tatlawiksuk to get to the hotsprings.
28.	Sport Hunting and Fishing that disturb grazing by roaming species and spawning of fish (now all limited) must cease on the Eek River.
29.	Access to subsistence resources: Asked how hunting will be addressed in the plan. would be to place limitations on recreationists as opposed to subsistence users where recreationists can use designated campsites while subsistence users are not limited to designated campsites, for example. Similar limitations could be placed on the number of days recreationists can stay at a campsite as compared to subsistence users.
30.	Guides and transporters conflict: asked if hunting guides and transporters need a permit to operate on BLM lands. His concern was that they "don't see any more big moose around there. Last year there was only one big moose taken that was bigger than 60 inch spread. Everything else was small." There is hunting pressure from guides who land airplanes on mountain tops and let hunters go down the Anvik River, the Swift River, and the Yellow River, and take only the moose antlers out to Holy Cross. He suggested that there are guides out of Bethel that hunt on BLM lands. The issue of law enforcement was highlighted. Chief Jerue suggested putting limits on guides and transporters. I informed the council that the adjacent Wildlife Refuge has limits on guides and transporters on FWS lands while BLM does not have the same guide concession system. However, BLM is currently studying options of having limits on guides and transporters on BLM lands. Holy Cross Guides have been bringing commercial clients up the Bonasila River where Anvik has traditionally hunted. Usually hunting areas are respected between communities.
31.	State Planning Efforts We recommend that BLM include the attached Fact Sheet "Generally Allowed Uses on State Lands and Conditions for Generally Allowed Uses" as an appendix in the RMP. This Fact Sheet summarizes regulations at 11 AAC 96.020 and 96.025 into a clear and practical format and can facilitate a better understanding of the "Generally Allowed Uses" if and when they are referenced in the RMP, particularly in discussions an proposed policies regarding off-highway vehicle use (http://dnr.alaska.gov/mlw/factsht/gen_allow_use.pdf.)
32.	Access & Travel Management Public access has and will continue to be an issue of concern for the State. All current easements and potential points and routes of access are important for the opportunity to access public lands and resources beyond areas of current transportation corridors and should be reserved and developed where possible and to the maximum extent practicable. In particular, we would like to see inclusion of the following route types in the BSWI RMP analysis, future maps and documentation: • Iditarod Race Trail • Iditarod National Historic Trail(s) • Iron Dog • Secondary Roads

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	• Winter Trails • RS 2477 • 17(b) easements
33.	Access & Travel Management We are pleased to see a wide variety of land based routes being included in the planning process from an early stage. However, Revised Statute 2477 (RS 2477) rights-of-way), 17(b) easements, and the Iron Dog route are not depicted on maps nor discussed in the existing documentation. These are broad data sets that are readily available and have legal or management implications to transportation. Inclusion of RS 2477 routes, 17(b) easements, and the Iron Dog route on maps and in documentation, as appropriate, would greatly improve the ability of land managers to anticipate the impacts that transportation policy within the BSWI plan may have. The transportation section of this plan should seek to understand both the existing physical and legal network of transportation routes within, adjacent or leading to the planning area. Since one of the key objectives of the plan is to provide guidance as to "the conditions under which land and resource use and development may occur" it would seem prudent to present the most complete understanding of physical and legal land based transportation network as possible. Additionally, the inclusion of RS 2477 routes and 17(b) easements is required as part of the Preliminary Planning Criteria outlined in the Preparation Plan for the BSWI RMP states, "Valid existing rights will be recognized and protected." Throughout the planning process the State requests BLM provide depictions, documentation, and discussion of the physical and legal land based transportation network improved upon as additional information is provided by the various contributing parties, stakeholders, and public.
34.	17(b) Easements As noted above for RS 2477s, we also ask that the BLM use the following language to describe 17(b) easements: Section 17(b) of Alaska Native Claims Settlement Act (ANCSA) provided for the reservation of easements across Native Village and Regional Corporation lands to provide public access to publicly owned lands (including waters) for the purpose of recreation, hunting, transportation, utilities, docks, and other similar public uses. The BLM is responsible for identifying and reserving these easements during the conveyance process. The management of these easements lies with BLM or the appropriate federal land manager (i.e., USFWS, NPS). The BLM does not have a similar agreement for transferring easement management to the State of Alaska. Consequently, BLM retains management responsibilities for easements reserved to access State lands. BLM has not developed an easement management policy that provides a mechanism by which to address the concerns of landowners and easement users. Current problems include poorly or inaccurately placed easements, trails that allow for ORV use being aligned through wetlands, discontinuous easements, and lack of easement marking. In addition, there is currently no inventory on the status or condition of the easements. This is an important aspect of easement management that seriously needs to be addressed.
35.	Recreation The State's primary recreational interest in BLM lands, both state-selected and non-selected, is continued access for both motorized and non-motorized uses for a wide variety of recreational activities, including the access method itself. Equally important is management of these lands so that they are not subject to damage by such use. The State's goals and objectives relative to recreation can be found in the Statewide Comprehensive Outdoor Recreation Plan, State Area and Management plans and Generally Allowed Uses on State Land should also be considered in developing management recommendations for state-selected lands and federally owned areas adjacent to state lands. In previous planning efforts, the State has firmly asserted that limiting general user days is usually not a viable option for managing user conflicts in rural Alaska. This includes such management approaches as mandatory registration or permit systems, and seasonal closures not based on physical resource concerns. The planning area consists of relatively remote areas providing a diversity of opportunities that offer a broad range of user activities, which reduce potential user conflicts. However, where user conflicts do exist, and the plan proposes use limits for mitigation (even if through a subsequent

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	planning process), the BLM is effectively limiting itself to one set of tools. An example of the variety of available tools for managing public use is found on page 47 of the 2006 Denali National Park and Preserve Final Backcountry Management Plan (see reference section.) We recommend using the least restrictive tool to address user conflicts including education, voluntary registration systems, and enforceable stipulations for commercial operators. Planning decisions should be adaptive to changes of resource use at different scales. Generally, recreational activities can impact resources where they are concentrated. Impacts may be reduced by allowing and/or developing the opportunity for resource users to disperse, and with the use of low impact modes of transportation (e.g., aircraft, watercraft, light fully-tracked vehicles), and seasonal all-terrain vehicles (e.g., snowmachines, 4-wheelers) when and where practicable. All areas, resources, and types of recreational activities are important. The RMP should allow for the use of existing cabins and construction of new public use/shelter cabins for all activities including seasonal activities, such as trapping or back country skiing. It is worth noting that the planning area could be affected by the future implementation of the DNR Guide Concession Program. In June 2012, DNR formed an Interagency Steering Committee with representatives from ADF&G, Division of Parks and Outdoor Recreation (DPOR), and BLM. The purpose of the committee is to cooperatively design and develop the framework of the Guide Concession Program.
36.	Fish and Wildlife We request that BLM not reference "population levels" in any of its issues, criteria, or goals/objectives for the RMP because they are outside the RMP's scope. Except for some migratory species, population goals and objectives are the responsibility of the State. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's authority as the manager of fish and wildlife. We recommend use of the term "general hunting" in lieu of the term "sport hunting" in the RMP for consistency with terms used in the state hunting regulations. We also note that Alaska resident hunters may subsistence hunt under state hunting regulations as well as under specific federal regulations. Subsistence hunting encompasses more than hunting under the federal subsistence hunting regulations. When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the maximum benefit of all residents. Any restriction on a particular resource use to protect habitat should require rigorous scientific data to support the decision, including consultation with the appropriate state manager and area residents. Analysis of the decision should consider the extent, level of intensity, frequency of the particular activity, and the impact of the specific disturbance at the population scale of the resource. Any specific action or restriction beyond what can be regulated under the statutory authority of the State should be considered on a case-by-case basis.
37.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.

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38.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
39.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
40.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
41.	Recommendations for Lands with Wilderness Characteristics: Additional lands should be managed to protect wilderness characteristics in each block. Within the range of alternatives presented, additional lands should be managed to maintain wilderness characteristics in the subunits, as discussed in detail below. BLM has defined "wilderness characteristics" to include naturalness and providing opportunities for solitude or primitive recreation. In making decisions about managing lands with wilderness characteristics in this planning process, BLM should recognize the wide range of values associated with lands with wilderness characteristics: 1) Scenic values – FLPMA specifically identifies "scenic values" as a resource of BLM lands for purposes of inventory and management (43 U.S.C. § 1711(a)), and the unspoiled landscapes of lands with wilderness characteristics generally provide spectacular viewing experiences. The scenic values of these lands will be severely compromised if destructive activities or other visual impairments are permitted. 2) Recreation – FLPMA also identifies "outdoor recreation" as a valuable resource to be inventoried and managed by BLM. 43 U.S.C. § 1711(a). Lands with wilderness characteristics provide opportunities for primitive recreation, such as hiking, camping, hunting and wildlife viewing, which can be severely impacted if the naturalness and solitude of these lands are not preserved.

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	3) Wildlife habitat and riparian areas – FLPMA acknowledges the value of wildlife habitat found in public lands and recognizes habitat as an important use. 43 U.S.C. § 1702(c). Due to their unspoiled state, lands with wilderness characteristics provide valuable habitat for wildlife, thereby supporting additional resources and uses of the public lands. As part of their habitat, many species are also dependent on riparian and other wetland habitats, especially during either seasonal migrations or seasons and years when surrounding habitats are dry and unproductive. Wilderness quality lands support biodiversity, watershed protection and overall healthy ecosystems. The low route density, absence of development activities and corresponding dearth of motorized vehicles, which are integral to wilderness character, also ensure the clean air, clean water and lack of disturbance necessary for productive wildlife habitat and riparian areas (which support both wildlife habitat and human uses of water). Protecting substantial roadless areas in the lands governed by the Bering Sea Western Interior RMP can provide crucial benefits to wildlife, especially to endangered, threatened and sensitive species.
42.	Recommendations for Wild and Scenic River Status The rivers listed below need to be considered for Wild and Scenic River status. All of these rivers support important fish species, are free flowing, and that the rivers and their immediate environments must be protected for the benefit and enjoyment of the present and future generations. It is very important during the evaluation process that BLM work closely with local communities to explain what a Wild and Scenic River designation means for protection and how it does not inhibit the ability of local people to participate in subsistence, and traditional and customary practices. The Yukon River and the tributaries within the Yukon River watershed are extremely important for wild fisheries, recreation, subsistence, traditional and customary use. Recommendation: Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible.
43.	Recreation Management The BLM Bering Sea Western Interior Field Office provides little to no information about current recreational management taking place in their pre-planning document. More information is needed in order to gain meaningful understanding of recreational activity within this planning area.
44.	Special/Extensive Recreation Management Areas According to the Land Use Handbook 1601-1, BLM must: [W]rite explicit recreation management objectives for the specific recreation opportunities to be produced and the outcomes to be attained (activities, experiences, and benefits); Prescribe recreation setting character conditions required to produce recreation opportunities and facilitate the attainment of both recreation experiences and beneficial outcomes[.]
45.	Visual Resource Management Visual Resource Management (VRM) classes need to be established and correlated with the recreation management objectives and setting prescriptions that have been set… (BLM Land Use Handbook 1601-1, Appendix C) VRM Class I is the appropriate designation for Wild and Scenic Rivers. All corridors should be managed for Class I. When determining the VRM for the more remote areas in the planning area, the BLM must work closely with local communities to maintain objectives and goals for potential special designations and subsistence resource protection.

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46.	Recreation Management Goals Special/Extensive Recreation Management Goals Goal 1: Iditarod National Historic Trail - Continue to manage uses of the Historic Trail fall within the guidelines of the current Comprehensive Management Plan. Goal 2: Clear disclosure of visitor health and safety, user conflicts, and resource protection issues. Goal 3: Clearly identify management, monitoring and administrative report actions.
47.	Recreation Management Goals OHV Goals Goal 1: Inventory existing and designated trails and their condition to identify the level of degradation and prioritize stabilization activities. Once priorities are established improvement prescriptions and implementation must be put in place. Monitoring and maintenance should be a large part of the plan. Goal 2: Properly document and identify designated trails and prevent the usage and proliferation of undesignated trails. Signs should be created and posted to designate trails and to educate the public on the importance of staying on trails, reporting degraded sites and holding others responsible for the lands we all share. Goal 3: Education on the impacts to soils and vegetation should be available to the public. Goal 4: Due to climate changes there are longer freeze and break-up periods where limitations may be necessary for both snowmachine and OHV uses to ensure that unnecessary damages are not incurred on public lands. This may include more strict weight limits, closures or visitor limitations to reduce traffic in the park.
48.	Recreation Management Goals Travel Management Goals Goal 1: Prohibit new road development within the primitive recreation zones. Goal 2: Prohibit road development within RNAs and ACECs.
49.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for

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	wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
50.	The things that make Alaska attractive to educated, working people are the wild lands which allow hunting and fishing and viewing, camping and hiking in ways that nowhere in the lower 48 do. We must guard these lands and waters or Alaska will become just a cold netherland with little to attract the very people we need here.
51.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
52.	RANGE OF ALTERNATIVES The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and

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	objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c). NEPA's requirement that alternatives be studied, developed, and described both guides the substance of environmental decision-making and provides evidence that the mandated decision-making process has actually taken place. Informed and meaningful consideration of alternatives, including the no action alternative, is an integral part of the statutory scheme. An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 9This evaluation extends to considering more environmentally protective alternatives and mitigation measures.10 NEPA's requirement for consideration of a range of alternatives is intended to prevent the EIS from becoming "a foreordained formality." Alternatives that must be considered under NEPA are those that would "avoid or minimize" adverse environmental effects. NEPA requires that an actual range of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." 11This requirement prevents the EIS from becoming "a foreordained formality."12 Given the broad purpose of the preparation of the Bering Sea Western Interior plan and the information compiled by the public regarding natural and cultural values of these lands, the range of alternatives for these lands should include a number of alternatives to protect their conservation values. Through management plans, BLM can and should protect natural and cultural values through various management decisions, including by excluding or limiting certain uses of the public lands. See, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of subsistence values, cultural resources, recreation, wildlife, and natural scenic values, and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). The BLM must uphold its responsibility to protect the abundant natural values present in the Bering Sea Western Interior planning area when developing management alternatives in the Bering Sea Western Interior draft Resource Management Plan and evaluating their environmental consequences, as required by both FLPMA and NEPA, 42 U.S.C. § 4321 et seq.
53.	TRAVEL MANAGEMENT BLM's internal guidance states that "each RMP will divide planning areas into OHV area designations that are open, limited or closed." IM No. 2004-005, see also 43 C.F.R. § 8342.2(b). This internal guidance was also incorporated into the updated version of BLM's Land Use Planning Handbook. H-1601, Appendix C, Section II.D (Comprehensive Trails and Travel Management). The Land Use Planning Handbook states that BLM should: • Complete a defined travel management network (system of areas, roads and/or trails) during the development of the land use plan, to the extent practical. If it is not practical to define or delineate the travel management network during the land use planning process, a preliminary network must be identified and a process established to select a final travel management network. (Emphasis added.) • Special management areas, such as ACECs, recreation management areas and citizen-proposed wilderness, must include travel designations within their boundaries. Recommendation: BLM must complete comprehensive travel management concurrently with the RMP process. The RMP should also identify priority areas for implementation of the travel plan.
54.	RECREATION Preserving traditional "quiet" forms of recreation such as hiking, backpacking, non-motorized hunting, angling, rafting, skiing, dogsledding and birdwatching are values to be upheld in drafting the Resource Management Plan. On the public lands, many members of the public want to experience naturalness, quiet natural soundscapes, undeveloped scenery, an undisturbed natural landscape, the timelessness and geological sweep of the BLM's

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	remote and rugged landscapes, a low level of facilities and management presence, and opportunities for uncrowded and solitary experiences. Retaining the ability to recreate in primitive, undeveloped, natural appearing settings is an important consideration in the RMP. The experiences of import are those of closeness to nature, a contemplative relationship with the natural world, savoring the total sensory experience of a natural landscape, escape from crowds, quieting our minds by escaping traffic and busy communities, and a sense of humanity's place in the larger universe, as well as improved outdoor knowledge, independence, self-reliance and a sense of adventure. Quiet recreation experiences should be carefully considered in the bureau's planning process, with a keen eye to preserving for future generations these time-honored traditional experiences of the outdoors. Recommendation: In managing recreation on the lands of the Bering Sea Western Interior, the RMP should ensure that quiet recreation opportunities are given sufficient attention and that management of motorized recreation, in general, is also designed to protect the experiences of other public land visitors.
55.	There is a long history of the uncommon value relative to the outstanding wildland habitats, view-sheds and the incredible wildlife populations within this region. Large industry developments should not jeopardize these exceptional natural attributes and this EIS has to provide true base line protection for these outstanding natural characteristics. These incredible wildlife populations and their given habitats have long provided great benefit to subsistence hunters, resident hunters, professional guides, photographers, eco-tourism and many related aspects of each to the local people and communities affected by this proposed development, not only in food but in important and longtime sustainable economy as well. This planning process must therefore work to protect these ways of life. This way of life has required a deeply seated conservation basis for viability and sustainability which could be lost by large industrial developments within this region. It is not right to have to forfeit one way of life for another. The EIS must work to truly protect these long term and sustainable businesses and the people who have had the entrepreneurship spirit to develop and manage them. With prudent wildlife and industry stewardship which are sustainable, the professional guide industry, which has existed for over seventy years prior to can easily be sustained for centuries. The EIS should work to protect this provision for Alaska and the people the world over who want to see, enjoy and experience true wilderness and a true wilderness hunting experience. Therefore, it is very important to build the impact of large industry to allow for both. In my opinion, the EIS scoping if truly done properly can provide for both. The compromise of our way of life or industry for another does not need to happen for all to have the conservation basis needed for successful long term sustainability. The EIS process can help provide for both by carefully exploring the former comments and those that follow here.
56.	Regarding the professional hunting guide and hunter transport industries and their future relative to this EIS scoping: It is vitally important to the sustainability of these industries that they are provided within a sound conservation basis. This basis should be fully explored and steered to within the EIS process. The hunt transporter industry has no conservation basis sideboards built into its regulatory or statutory oversight. Therefore, any opportune wildlife populations are at risk of exploitation by this industry. When combined with the high cost of fuel relative to this industry, operators naturally focus on wildlife populations which are available near communities. Residents of the same communities who are dependent upon subsistence hunting opportunities often find their way of life marginalized by this commercial activity. Substantial conflict then occurs. Alaska is full of examples of this problem. The EIS should define a process which creates opportunity for this industry to operate within a stewardship basis provided by the service providers. Transporter services should be awarded the opportunity to access lands within the BSWI based upon proven or proposed respect for the

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	lands, resources and ways of life they will be impacting. Alaska's professional hunting guide and outfitter industry has been an integral part of State history by providing professional escort to the many visiting hunters from around the world who choose to hunt in Alaska. Wilderness and wildlife within the BSWI are well known worldwide as a premier hunting designation. Alaska's extreme climate, terrain, vast wilderness, waterways, certain big game animals and logistical challenges pose serious levels of challenge and danger to visiting sportsmen and women who are often not prepared for these concerns. Thus, the professional guide and outfitter industry provides and will continue to provide a very necessary service. This industry, which is dependent upon sustainable and renewable resources supports a substantial and historical economy for Alaska. Rural Alaskan's in particular, which have lifestyles that compare with the inherent challenges and oversight of pursuit, harvest and care of game, have been a significant part of this industry. As there is currently no effective manner to limit the amount of guided or transported hunt activity that can take place on BLM lands the Alaska Board of Game has had a serious burden presented to them regarding protecting wildlife populations from over harvest. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to protect wildlife within the region. There is currently less than favorable social conditions related to subsistence hunting within many BSWI communities due to over commercialism of guided sport hunting activity in near proximities. The BSWI EIS Scoping should recommend development of a stewardship based guide concession program to protect the subsistence way of life.
57.	With the existing circumstances of land use authorization for guides on BLM lands, the client/consumer does not have any level of protection from encountering multiple guides and clients in the field all competing for the same resource as well as interfering with quality of wilderness experience which is an important part of guided hunting in Alaska. The BSWI EIS Scoping should recommend development of a stewardship based guide concession program to protect the consumer. It is very hard for the Alaska Board of Game to develop allocation programs that limit guided or transported hunter effort in a manner that will protect the guide or transporter industry service provide, who strives to be a good steward of the wildlife resources, the consumer and the industry. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to protect industry service providers who make every effort to be good stewards of their industry. As there is no current effective manner to limit the number of hunting guides or big game transporters that can operate on any certain piece of BLM lands within the BSWI, and there has not been for many years, it makes enforcement of existing BLM, Wildlife Conservation, or Big Game Commercial Services Board regulations hard to enforce as there are limited mechanisms in place to keep track of which guides or transporters are operating where and when. Limited enforcement staff and extremely large regions allow for heightened abuse opportunity for guide and transporter service providers that seek to operate outside the bounds of existing law and respectful industry stewardship. An area system defining who is authorized in certain locations would allow BLM and the Alaska Wildlife Troopers a much better opportunity to enforce wildlife conservation and industry law as well as provide better public safety and industry oversight. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to provide better law enforcement.
58.	<u>BLM should prioritize the long term health and maintenance of the WACH and the habitats upon which it depends within the Planning Area to ensure the health of the herd and subsistence opportunities for the communities of northwestern Alaska.</u> With the herd currently in decline, habitat conservation in the next decade will help promote resiliency of the herd. Conservation of caribou habitat can

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	accomplished by: a) Prohibiting industrial activities, including mining, in the core seasonal habitats (Figure 2). b) Avoiding disturbance to caribou as they engage in their annual seasonal movement and avoid fragmentation of their range (Figure 3), including minimizing impacts from industrial activities and transportation, recreational users and other forms of non-subsistence development and travel. c) Identifying and recommending permanent, administrative (e.g. ACEC) or seasonal protection measures needed for important habitats and subsistence use areas for lands with the planning area. d) Prohibiting dust-control treatments (e.g. chemicals) that may be harmful to caribou, their habitat and people on roads through BLM managed lands.
59.	These scoping comments are being submitted on behalf of the Native Village of Georgetown. The Native Village of Georgetown is situated in southwest Alaska in the valley of the middle Kuskokwim River amid the Kilbuck-Kuskokwim Mountains, just up river from the village of Crooked Creek. The village is located near the convergence of the Kuskokwim River and the George River, within the area in western Alaska that encompasses approximately 62 million acres of land, including 10.6 million acres managed by the BLM, for which a new land use plan is being developed. The Georgetown Tribal Council (GTC) is a federally recognized Tribal governing body for the Native Village of Georgetown and works closely with Federal agencies, Tribes and Regional Native organizations in the Kuskokwim River region in an effort to protect our environment and human health. The members of the Native Village of Georgetown wish to ensure the continued health of the Kuskokwim River and responsible development in order to protect its subsistence resources and the environment of the Kuskokwim River watershed. It is our understanding from the Bering Sea –Western Interior RMP public documents and reports that some issues and management concerns the new RMP will address include, but are not limited to: • Management of human uses and activities such as recreation and mining; • Protection of areas with critical or unique values such as wild and scenic rivers; and • Management of natural and cultural resources such as wildlife, fish, cultural sites, and vegetation. It is our intention to state clearly the comments we have in relationship to those issues listed above.
60.	Much of the area has wilderness like qualities and is unexplored Much of the areas within the RMP have wilderness like qualities, and should not require designation to retain such qualities. RDC is opposed to the BLM listing lands as Areas of Critical Environmental Concern, designating additional Wild and Scenic Rivers, and no areas should be considered for Wilderness designation. Federal acreage dedicated to Conservation System Units in Alaska is nearly 148 million acres, accounting for 70 percent of all national park lands in the U.S., 80 percent of wildlife refuge acreage, and 53 percent of federally-designated Wilderness, at 58 million acres. The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) was the final word on additional conservation units for Alaska. The RMP should explicitly acknowledge the unique compromises of ANILCA, which include identification of sufficient conservation lands. Furthermore, the area included in the RMP should be further evaluated for mineral potential before restrictive land designations are implemented. Sufficient mapping and geological information should be acquired, and until then, the area should be left open to all uses.

8.2.20 Issue 20: Trails and Travel Management including Off-Highway Vehicles

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1.	I encouraged & helped Joe Redington Sr to start the Iditarod Race and throughout the years I've observed trash & straw along the trail to Kaltag-also to Shaktoolik. When I was checker for Unk I made sure they allowed me to purchase gas to run to Old Woman and made sure that it was clean- many years I came back to Unk w/ sled load of trash. Lath throughout the trail can be seen on land and the ocean beaches. I told them before if they couldn't pick up then I would consider rerouting the trail. At least two locals should be hired to maintain and keep the trails in good clean standards.
2.	Our family-owned company holds State of Alaska mining claims at the Win and Won properties north of McGrath. Within the time frame of the management plan (15 to 20 years) additional exploration work will be conducted on these claim groups resulting in a drilling program. The Win group of claims is 15 miles north of the McGrath airport and the Kuskokwim River. The Win and Won claims have polymetallic tin mineralization. In addition to tin, other metals may be by-products to make these properties economic. Our exploration to date has verified previous U.S. Bureau of Mines, Battle Mountain, and Anaconda data. Tin is a strategic mineral and presently most of the U.S. supply comes from Peru and Bolivia. This supply chain is tenuous because the sole Peruvian tin mine will be closed within four years due to depleted reserves and Bolivia is not a very U.S. friendly country. The principal Bolivian deposit is Potosi, which has been mined for hundreds of years. The government has prohibited mining at the upper levels of Potosi because the mountain is so honeycombed that a mountain collapse could occur. The other significant world tin suppliers are China and Indonesia. These would not be dependable sources during a war event. World-wide, 54% of tin is used as industrial and electronic lead-free solders. In the U.S., tin is also used in a wide range of chemical applications, tinplate, bronze and brass, steel alloys, and new energy applications including lithium-ion batteries. Development of a tin resource would provide not only a domestic source of this strategic metal, but also provide local employment in mining, transportation, service and supply sectors. While the initial phases of exploration will normally be helicopter supported from McGrath, advanced exploration may require airstrips, a winter-ice road, and probably numerous drill sites. If an ore deposit is developed by drilling, bulk testing would be needed for metallurgical definition for a processing method. Ultimately a road would probably be required to tie a mine site to transportation on the Kuskokwim River and/or to the McGrath airport. Thank you for considering this mineral property during your planning.
3.	Ulitmately a road would probably be required to tie a mine site to transportation on the Kuskokwim River and/or to the McGrath airport.
4.	Development of a tin resource would provide not only a domestic source of this strategic metal, but also provide local employment in mining, transportation, service and supply sectors.
5.	Trail between Holy Cross and Aniak – to Paimute Slough (on Fish and Wildlife Service land) travel on BLM land to get to Paimute Slough to hunt north towards Holy Cross (ptarmigan, moose, bear) and to go fishing (Pike). Trail from Aniak to Holy Cross used by both snowmachines and ATVs almost year-round.
6.	Still old CAT trails across the landscape from mining heydeys.
7.	Comm sites, towers, and turbines typically don't interfere with access to historical trails/access
8.	Several corridors are proposed (roads, pipelines) and these could benefit the communities, but we also like things the way they are now. (dilemma, torn about it)
9.	Trail marked between Holy Cross and Aniak
10.	Travel occurs by river from Bethel to McGrath to hunt moose as far up as McGrath. Kongiginak, Napaskiak folks boat upriver (September) in fall to

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	McGrath
11.	"Government Cabin" area along the Kuskokwim refers to area close to or, on BLM land upriver from Chuathbaluk, off the north bank of the river, across from Veahna Creek on the south bank
12.	Pike Lake important for winter use
13.	Concerned that the game will move upland in response to increased barge traffic/disturbance
14.	People travel far downriver to the Kuskokwim Delta to hunt waterfowl and trap muskrats.
15.	Dry portage "old trail" - cross to Aniak, winter trail Aniak to Russian Mission, Crow Village to Paimiut slough, trails are on Smithsonian records
16.	Old trade route; traders came over from the Yukon to trade at Kalskag = "wet route"
17.	More so in the past and still sometimes today we run back and forth between Crooked Creek and Flat and Iditarod.
18.	TRAIL Use – frequently travel trails between Grayling – Shageluck – Holichuk – Anvik.
19.	The "Old Mail Trail" to Flat is VERY important to us. It has historic significance, we have used this trail for generations. It is how we get around. We don't want anything to happen to this important trail. We use this trail to get to McGrath if other routes are cut off. We use the trail for trapping. (possible ACEC consideration…)
20.	The proposed AVCP road would not cross BLM land, but attendees felt confusion over the purpose of the road, like they were not well informed and were frustrated that since the road might be on state land, villages had no say in the process.
21.	Trail use: Increased trail use and the GMU boundary is not aligned with the trail.
22.	Proposed Road - concerns raised over the Association of Village Council Presidents (AVCP)-proposed road from Kalskag to the Yukon River Paimut Slough. Community members were told that only business traffic would use the road and it would be closed to other travel, though they are concerned that it will not be patrolled and that has the potential to increase local fishing and hunting pressure. The community members desire access to the road, if built, for subsistence purposes.
23.	We travel over to Pike Lake (Pike L. on BLM land)
24.	We travel down to Aniak (cross BLM land)
25.	Travel to Kako Mine (no land on BLM)
26.	Travel the trail from RM to Marshall in the wintertime
27.	There is a historic mining route that went from Marshall to Kako Mine. The trail is overgrown. Don't know if Marshall might still use that historic trail. (don't know if it is a 17b easement or not? Unsure whether there is interest in the trail or restoring the trail) Some expressed interest in trail restoration for use as road or ATV trail.
28.	17b easements across Native Corp. lands are important for access to State lands and BLM lands
29.	Trail overland from RM – to Paimute Slough (FWS land); we get moose over there (unit 21E).
30.	Old CAT trail up to Stuyahok Mine that goes from the landing on the river, across some Native Corporation land, FWS land, then over BLM and BLM state-selected lands to the mine site. • There are gas tanks on the landing near the river with no containment and they are leaking (likely on Native Corp or FWS lands).
31.	The 17b easements need to be signed on the ground

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32.	Western Arctic Caribou Herd does not travel as far south as it used to, now we must travel to Granite Mountain and use snowmachines. We have to travel a greater distance and it is more expensive to hunt.
33.	The BLM lands are unique because there are no roads on them and it enables wildlife to move through the area more easily.
34.	Interest was expressed in developing a new safety shelter cabin along the Iditarod trail between McGrath and Nikolai, though there is no BLM land in the suggested area.
35.	The old trail to Flat goes from McGrath up the Takotna River and down the George River toward Flat. Right now, the trail is not used much even though a cat has been driven on it. If more mining is developed in the future in Flat, that trail would become more important again and it crosses BLM land in places.
36.	We travel the Iditarod Trail(s) to go all the way to Rohn from McGrath for fun. The conditions determine whether we take the race route or portions of the historic route.
37.	Any pipeline corridor will provide access to ATVs and increase our hunting pressure.
38.	In the winter, people from McGrath travel down the Kuskokwim and at Devil's elbow, go overland to some hotsprings on the Chuilnuk River on BLM land. If they cannot go overland from Devil's elbow, they travel further downriver and go all the way up the Tatlawiksuk to get to the hotsprings.
39.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
40.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-

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	Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments proposed for Wild and Scenic Rivers Act ("WSRA") designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
41.	Wilderness Characteristics - Doyon generally opposes any designation of areas surrounding or adjacent to Doyon owned lands in the Planning Area as areas where wilderness characteristics would be maintained. As an initial matter, many of these areas are subject to Doyon land selections and, therefore, are subject to potential conveyance to Doyon at some time in the future. Moreover, such designation could significantly impact Doyon's ability to obtain needed access across such lands. BLM's policy for considering lands with wilderness characteristics in land use planning directs the BLM to consider "whether the lands can be effectively managed to protect their wilderness characteristics." Instruction Memorandum No. 2011-154, Requirement to Conduct and Maintain Inventory Information for Wilderness Characteristics and to Consider Lands with Wilderness Characteristics in Land Use Plans (July 25, 2011). BLM has recognized that factors that may affect manageability and that should be considered include land status, mineral ownership, valid existing rights, needs for access to non-Federal inholdings, and additional statutory requirements. In this regard, BLM has stated that, "[i]n developing management actions and allowable uses for land use plans in Alaska, the BLM should take into account the relevant management provisions of the Alaska National Interest Lands Conservation Act (ANILCA)." Considering Lands with Wilderness Characteristics in the BLM's Land Use Planning Process, at 5, available at http://www.blm.gov/pgdata/etc/medialib/blm/wo/lnformation Resources Management policylim attachments/20 11.Par.28612.File.datfiM20 11-154 att2.pdf Another factor that BLM must consider and document is ''the extent to which other resource values and uses of lands with wilderness characteristics would be forgone or adversely affected if the wilderness characteristics are protected." In this regard, BLM is instructed to consider, among other things, "[t]he potential for further development or use of the other resources on the lands with wilderness characteristics; ... [l]ocal, regional, or traditional (i.e., Tribal) economic value of various resources on the lands with wilderness characteristics and the potential to enhance the economic importance by protecting the lands with wilderness characteristics; and ... [t]he degree to which use or development of each resource is compatible with or conflicts with management of the area to protect wilderness characteristics."
42.	Wilderness Characteristics - Based upon a reasonable consideration of these factors, much of the land area in the vicinity of Doyon-owned or selected lands is unlikely to be suitable for management for maintenance of wilderness characteristics. Much of this land area consists of lands that have been selected by Doyon under ANCSA, and that are likely to be conveyed to Doyon during the term of the RMP, potentially limiting BLM's ability to protect wilderness characteristics on the lands over the long term. In addition, to the extent that lands to be considered for maintenance of wilderness characteristics may surround or be adjacent to Doyon-owned lands, Doyon will require access to non-Federal inholdings. Such access, to

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	which Doyon is entitled under the provisions of ANILCA, could limit BLM's ability to effectively manage the lands to protect their wilderness characteristics. Accordingly, proposals to designate areas in the vicinity of Doyon owned or selected lands as areas where wilderness characteristics would be maintained are unlikely to be supported by BLM policy and guidance governing the consideration of lands with wilderness characteristics in land use planning.
43.	The Final Plan Must be Consistent With ANILCA's Unique and Specific Provisions Governing Access to Lands and Resources Congress enacted ANILCA to protect Alaska's natural resources and ensure economic development opportunities for Alaska Natives and other private landowners in the State. ANILCA included unique and specific provisions to guarantee that such landowners would have reasonable access to inholdings within or effectively surrounded by one or more conservation system units, national recreation areas, national conservation areas, or areas of public lands designated as wilderness study so that they could make economic and other use of their property. It should be without dispute that any elements of the RMP that may affect access to inholdings thin CSUs and general (non-CSU) BLM-managed public lands must be fully consistent with these provisions. ANILCA Sought to Encourage Economic Development by Creating a Comprehensive, Balanced Regulatory Regime to Govern the Use and Development of Lands and Resources in Alaska In enacting ANILCA, Congress intended that nonfederal land within conservation system units in Alaska would remain available for development. In setting forth the very purposes of the statute, section 101 (d) of ANTI..,CA expressly recognizes the balance struck between resource protection and development: " This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the preservation of national conservation system units and those public lands necessary and appropriate for intensive use and disposition...16 U.S.C. § 3101(d). Congress included special provisions in the Act to assist landowners in fulfilling this important, recognized economic need.
44.	"Guaranteed Access to Inholdings Under Title XI of ANILCA" ANILCA includes specific, and critically important, provisions that ensure reasonable access to privately-owned lands that are within or "effectively surrounded" by "one or more conservation system units" (including units in Alaska of the National Wild and Scenic Rivers System, National Wilderness Preservation System, and National Wildlife Refuge System). Under Section 111 O(b) of ANILCA, the Secretary of the Interior is required to give the owner of any lands effectively surrounded by one or more CSUs, "such rights as may be necessary to assure adequate and feasible access for economic and other purposes to the concerned land." 16 U.S.C. § 31 70(b). That grant of rights is "subject to reasonable regulations issued by the Secretary to protect natural and other values of such lands." Id.; see 43 C.F.R. § 36.10. Section 1 t 1 O(b), including its standard providing for adequate and feasible access for economic and other purposes, was intended to ensure that inholders would not be denied the economic benefit resulting from their land ownership. S. REP. No. 96-413, at 248-49, Nov. 14, 1979. Given that ANCSA established the Alaska Native Corporations as vehicles for economic development, providing for access for use of the lands conveyed to those entities under ANCSA is critical to fully realizing the settlement of aboriginal land claims achieved under that Act.
45.	Temporary Access Under ANILCA for Exploratory or Similar Purposes Section 1111 of ANILCA further directs the Secretary of the Interior to grant temporary access to a private landowner to cross conservation system unit lands in Alaska for exploratory or similar purposes, so long as, after compliance with the requirements of the National Environmental Policy Act (NEP A), the Secretary determines that such access will not result in

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	"permanent harm" to the resources of the lands or unit. 16 U.S.C. § 3171(a). In providing such temporary access, the Secretary may include stipulations and conditions in the permit to ensure that the access granted is undertaken in a manner consistent with the purposes for which the area was established and to ensure that no permanent harm will result to the area's resources. 16 U.S.C. § 3171(b). DOl has adopted multi-agency regulations governing such temporary access under ANILCA section 1111 at 43 C.F.R. § 36.12.
46.	Regulation of Transportation and Utility Systems Under ANILCA In addition, Title XI of ANILCA established a specific set of procedures for federal agencies to follow when processing applications for "transportation or utility systems" (TUSs) in Alaska when any portion of the route of the system will be within a conservation system unit. 16 U.S.C. §§ 3 t 61 - 3169. Recognizing that "the existing authorities to approve or disapprove applications for transportation and utility systems through public lands in Alaska are diverse, dissimilar, and, in some cases, absent," Congress sought to establish in ANILCA "a single comprehensive statutory authority for the approval or disapproval of applications for such systems." 16 U.S.C. § 3161.
47.	Guaranteed Access to Inholdings Under ANILCA Section 1323 ANILCA also guarantees access to inholdings across general (non-CSU) BLM-managed public lands. ANILCA Section 1323{b) requires BLM, "[n]otwithstanding any other provision of law, and subject to such terms and conditions as [the agency] may prescribe," to "provide access to nonfederally owned land surrounded by public lands managed by the Secretary under the Federal Land Policy and Management Act of 1976 (43 U.S. C. 1701-82) as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof." 16 U.S.C. § 3210(b). This provision "mandat[es] reasonable access." Adams v. United States, 3 F.3d 1254, 1258 (9th Cir. 1993); see also United States v. Jenks, 22 F.3d 1513, 1516 (lOth Cir. 1994). It commands the agency to "provide access to secure the owner's reasonable use and enjoyment," which the U.S. Court of Appeals for the Ninth Circuit has held "clearly rests on [the landowners'] ability to freely access their property." Adams, 3 F.3d at 1259. In developing the RMP/EIS, BLM should specifically address the access guaranteed to Doyon and other inholders under Section 1323(b). The RMP must be consistent with meeting the future access needs of Doyon and other inholders within the Planning Area as Guaranteed under this provision and under The Title XI provisions discussed above.
48.	The RMP 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 the traditional Native culture in the Planning Area and a primary source of nutrition for residents of remote rural villages. Resource management planning decisions that will be made in the course of developing the RMP could impose significant limitations on access and activities that could adversely impact these customary and traditional uses. BLM must carry out its obligations under ANCSA and Titles XIII and XI of ANILCA in developing and implementing the RMP to ensure that subsistence uses and access to subsistence resources are protected.
49.	Areas of Critical Environmental Concern - Moreover, the RMP should not propose the designation of any new ACECs or that would occupy lands selected by Doyon under ANCSA or surround or be adjacent to lands that already have been conveyed to Doyon. Such ACECs are unlikely to meet the regulatory criteria for designation of ACECs. Areas under consideration for designation of an ACEC that contain substantial areas of land that are in the process of conveyance or are high priority Doyon, Limited, and State-selected lands are unlikely to be retained in federal land status and therefore inappropriate for designation as ACECs. In addition, designation of such areas as ACECs could limit access to and use of Doyon lands, depriving Doyon of the ability to realize the economic and historic and cultural values of its lands and resources. Further, in the event that BLM proposes designation or continued designation of lands that surround or are adjacent to Doyon lands as ACECs, the RMP should not propose designation of those ACECs as right-of-way avoidance areas. Over the life of the plan, Doyon may require access across ACECs in order to use its lands. Under such circumstances,

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	designation of ACECs that surround or are adjacent to Doyon-owned lands as right-of-way avoidance areas would be absolutely inappropriate. At best, such designation could make it more difficult for Doyon to obtain access to its lands. At worst, it would suggest an effort by BLM to shut-in Doyon lands and to prevent Doyon and its shareholders from enjoying the economic and cultural and historic value of Doyon's lands and resources.
50.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
51.	People from Anvik don't normally travel east, across the Yukon toward Shageluk. We more frequently travel west and up the Anvik and Bonasila Rivers.
52.	RS 2477 roads and trails: inquired about how the BLM plan would address trails and Reserved Statute 2477 roads, commonly known as RS 2477, as part of mining activities in the area. Expressed concerns about identifying trails in the plan because outsiders might use them, especially in light of the State's plans to build roads in Interior Alaska. Robert Walker also voiced concerns about miners revealing local trails that they use to access their claims.
53.	Roads and Trails, and Their Use Roads and trails contribute more sediment to streams than any other management activity and interrupt the subsurface flow of water, particularly where they cut into steep slopes. Roads and trails also contribute to habitat fragmentation, wildlife disturbance, introduction or exacerbation of noxious weeds, and increased fire danger from recreational activities. The RMP/Draft EIS should include a description of how roads and trails in the planning area impact resources and provide the current number of road/trail miles and density including an estimate of the amount of any off-road vehicle usage. It should also evaluate the change in road miles and density that will occur because of the RMP activities and predicted impacts to water quality.
54.	State Planning Efforts We recommend that BLM include the attached Fact Sheet "Generally Allowed Uses on State Lands and Conditions for Generally Allowed Uses" as an appendix in the RMP. This Fact Sheet summarizes regulations at 11 AAC 96.020 and 96.025 into a clear and practical format and can facilitate a better understanding of the "Generally Allowed Uses" if and when they are referenced in the RMP, particularly in discussions an proposed policies regarding off-highway vehicle use (http://dnr.alaska.gov/mlw/factsht/gen_allow_use.pdf.)
55.	Applicable ANILCA provisions include but are not limited to: • Section 811(a) and (b) - ensures motorized subsistence access on all federal public lands, subject to reasonable regulation. • Section 1101-1107 - in recognition of Alaska's undeveloped transportation and utility network and need for future transportation and utility

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	systems, establishes a consolidated application process, including decision-making criteria and right-of-way terms and conditions (implementing regulations at 43 CFR 36). • Section 1110(a) - provides for motorized and non-motorized access for traditional activities and for travel to and from villages and homesites, subject to reasonable regulation (implementing regulations at 43 CFR 36.11) • Section 1110(b) - establishes a right of access to inholdings within and effectively surrounded by CSUs "to assure adequate and feasible access for economic and other purposes." • Section 1111 - provides for temporary access to or across CSUs, WSAs and lands managed to maintain wilderness character, to State and private inholdings for the purposes of survey, geophysical, exploratory, or other temporary uses. • Section 1303 - provides direction regarding construction, use and occupancy of existing and new cabins and related structures. - Section 1306 - addresses the establishment of administrative sites and visitor facilities within or outside the boundaries of CSUs. • Section 1310 - provides for access to, and operation and maintenance of existing facilities, and the establishment, operation, and maintenance of new facilities in CSUs. • Section 1316 - provides for the continuance of existing uses and future establishment of temporary structures and facilities directly related to the taking of fish and wildlife on all public lands. • Section 1323(b) – provides for access to inholdings on general BLM managed lands. We request that whenever practical, BLM use direct quotes when referencing ANILCA provisions to ensure an accurate representation.
56.	Wild and Scenic River Studies While BLM apparently does not consider studies which are incorporated into resource management plans to be single purpose studies, the purpose of the wild and scenic review for Bering Sea-Western Interior planning area is clearly stated in the Preparation Plan (page 12) as "Rivers that are found suitable for inclusion in the Wild and Scenic River System may be recommended to Congress for designation." In Alaska, such studies are in direct conflict with ANILCA Section 1326(b). Furthermore, the intent of Congress in ANILCA was not to authorize an endless cycle of studies but to provide finality to the lengthy studies and deliberations that led to the passage of ANILCA. That intent is clearly stated in ANILCA Section 101(d): "This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby. [Emphasis added] " While maintaining the above objection, when considering river suitability, a study must consider the potential land ownership pattern following completion of State and Native land conveyances. Highly fragmented land ownership does not lend itself to Wild and Scenic river corridor management. In addition, the provisions in ANILCA that apply to CSUs would apply to any new rivers designated by Congress, such as allowing motorized access pursuant to Section 1110(a) and (b) and the Title XI Transportation and Utility System (TUS) process. Any interim management prescriptions applied to rivers identified as suitable for recommendation to protect outstandingly remarkable values cannot be more restrictive than the provisions that would apply to congressionally designated Wild and Scenic rivers.
57.	ACCESS and ANILCA Section 811 of ANILCA provides for subsistence access on all federal public lands, including access by Off Highway Vehicles (OHVs) where traditionally employed, subject to reasonable regulation: "(a) The Secretary shall ensure that rural residents engaged in subsistence uses shall

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	have reasonable access to subsistence resource on the public lands. (b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation. [Emphasis added] " To date, BLM has not promulgated implementing regulations for ANILCA Section 811; however, the BLM Director's Protest Resolution Report for the Delta River SRMA Plan and East Alaska RMP Amendment stated, "BLM will continue to strive to be consistent with other Federal land management agencies in this regard." The U.S. Fish and Wildlife Service (FWS) and the National Park Service (NPS) Section 811 implementing regulations are at 50 CFR 36.12 and 36 CFR 13.460 respectively. Pursuant to both sets of regulations, subsistence access closures or restrictions (including such actions as size and weight limitations and off-trail limitations) may only be implemented when certain criteria have been met and notice and hearing requirements have been followed. While ANILCA Section 810 requires agencies to evaluate the impacts of proposed actions on subsistence resources and uses, including access, NPS and FWS regulations established a separate and distinct process for implementing access restrictions. Similar to BLM, the USDA Forest Service also does not have ANILCA Section 811 regulations. To resolve the inconsistency between the national 2005 Travel Management Rule and ANILCA, the Forest Service, in consultation with the State, developed regional policy guidance, which is consistent with the intent of ANILCA and other DOI agency ANILCA implementing regulations. To ensure the consistent implementation of ANILCA across Alaska's public lands, we request BLM develop similar regional guidance.
58.	<u>ACCESS and ANILCA Section 1110(a)</u> Section 1110(a) also applies to CSUs within the planning area, including the Unalakleet Wild River and the BLM managed Iditarod National Historic Trail (NHT). Section 1110(a) allows for snowmachines, motorboats, airplanes, and nonmotorized surface transportation for traditional activities and travel to and from villages and homesites, subject to reasonable regulation. Implementing DOI regulations at 43 CFR 36.11 require a public hearing and rulemaking to implement closures, along with a finding that the use would be detrimental to the resource values of the area. To fully inform the public, we request the plan clearly describe these access provisions, including where they apply on the ground. In addition, should the plan propose restrictions or closures, we request they be clearly described along with appropriate justification. The guidance in the BLM Alaska Long Range Transportation Plan (LRTP) to exclude primitive roads and motorized/mechanized trails from the BLM transportation system in areas where LWCs are protected would preclude maintaining transportation connectivity in the planning area. This exclusion from the BLM transportation system would prevent funding maintenance and improvements for the motorized/mechanized trails, and could have serious negative impacts on the transportation, economics, and social justice for this area. The RMP Environmental Impact Statement (EIS) should include a comprehensive trail inventory and fully evaluate these impacts. For example, the Iditarod NHT crosses BLM land within the planning area. As a CSU under ANILCA, motorized access is allowed pursuant to Section 1110, in addition to Section 811 which applies to all BLM land. The LRTP states "it is widely accepted that there are unknown miles of additional undocumented trails" (p. 11). The lack of a comprehensive trail inventory on BLM lands could result in unforeseen impacts from decisions to protect wilderness characteristics.
59.	<u>ANILCA Title XI Process</u> The ANILCA Title XI Transportation and Utility Systems process applies to CSUs within the planning area, including the Unalakleet Wild River and sections of the Iditarod NHT managed by BLM. RMP-level decisions, such as right-of-way exclusion and avoidance corridors would not preclude the implementation of the TUS process should a project be proposed within these boundaries.
60.	<u>Access & Travel Management</u> Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important

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	wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
61.	Access & Travel Management Public access has and will continue to be an issue of concern for the State. All current easements and potential points and routes of access are important for the opportunity to access public lands and resources beyond areas of current transportation corridors and should be reserved and developed where possible and to the maximum extent practicable. In particular, we would like to see inclusion of the following route types in the BSWI RMP analysis, future maps and documentation: • Iditarod Race Trail • Iditarod National Historic Trail(s) • Iron Dog • Secondary Roads • Winter Trails • RS 2477 • 17(b) easements
62.	Access & Travel Management We are pleased to see a wide variety of land based routes being included in the planning process from an early stage. However, Revised Statute 2477 (RS 2477) rights-of-way), 17(b) easements, and the Iron Dog route are not depicted on maps nor discussed in the existing documentation. These are broad data sets that are readily available and have legal or management implications to transportation. Inclusion of RS 2477 routes, 17(b) easements, and the Iron Dog route on maps and in documentation, as appropriate, would greatly improve the ability of land managers to anticipate the impacts that transportation policy within the BSWI plan may have. The transportation section of this plan should seek to understand both the existing physical and legal network of transportation routes within, adjacent or leading to the planning area. Since one of the key objectives of the plan is to provide guidance as to "the conditions under which land and resource use and development may occur" it would seem prudent to present the most complete understanding of physical and legal land based transportation network as possible. Additionally,

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	the inclusion of RS 2477 routes and 17(b) easements is required as part of the Preliminary Planning Criteria outlined in the Preparation Plan for the BSWI RMP states, "Valid existing rights will be recognized and protected." Throughout the planning process the State requests BLM provide depictions, documentation, and discussion of the physical and legal land based transportation network improved upon as additional information is provided by the various contributing parties, stakeholders, and public.
63.	RS-2477 The State of Alaska claims numerous rights-of-way across federal land under RS 2477, including rights-of-way identified in AS 19.30.400. As recommended for previous plans, we ask that BLM use the following language to describe RS 2477 routes identified by the State. The limited definition helps to withstand minor policy changes, and the language has been thoroughly vetted by associated divisions and managers within the State: Under Revised Statute (RS) 2477, Congress granted a right-of-way for the construction of highways over unreserved public land. Under Alaska law, the grant could be accepted by either a positive act by the appropriate public authorities or by public use. "Highways" under state law include roads, trails, paths, and other common routes open to the public. Although RS 2477 was repealed in 1976, a savings clause preserved any existing RS 2477 right-of-way.
64.	17(b) Easements As noted above for RS 2477s, we also ask that the BLM use the following language to describe 17(b) easements: Section 17(b) of Alaska Native Claims Settlement Act (ANCSA) provided for the reservation of easements across Native Village and Regional Corporation lands to provide public access to publicly owned lands (including waters) for the purpose of recreation, hunting, transportation, utilities, docks, and other similar public uses. The BLM is responsible for identifying and reserving these easements during the conveyance process. The management of these easements lies with BLM or the appropriate federal land manager (i.e., USFWS, NPS). The BLM does not have a similar agreement for transferring easement management to the State of Alaska. Consequently, BLM retains management responsibilities for easements reserved to access State lands. BLM has not developed an easement management policy that provides a mechanism by which to address the concerns of landowners and easement users. Current problems include poorly or inaccurately placed easements, trails that allow for ORV use being aligned through wetlands, discontinuous easements, and lack of easement marking. In addition, there is currently no inventory on the status or condition of the easements. This is an important aspect of easement management that seriously needs to be addressed.
65.	Recreation The State's primary recreational interest in BLM lands, both state-selected and non-selected, is continued access for both motorized and non-motorized uses for a wide variety of recreational activities, including the access method itself. Equally important is management of these lands so that they are not subject to damage by such use. The State's goals and objectives relative to recreation can be found in the Statewide Comprehensive Outdoor Recreation Plan, State Area and Management plans and Generally Allowed Uses on State Land should also be considered in developing management recommendations for state-selected lands and federally owned areas adjacent to state lands. In previous planning efforts, the State has firmly asserted that limiting general user days is usually not a viable option for managing user conflicts in rural Alaska. This includes such management approaches as mandatory registration or permit systems, and seasonal closures not based on physical resource concerns. The planning area consists of relatively remote areas providing a diversity of opportunities that offer a broad range of user activities, which reduce potential user conflicts. However, where user conflicts do exist, and the plan proposes use limits for mitigation (even if through a subsequent planning process), the BLM is effectively limiting itself to one set of tools. An example of the variety of available tools for managing public use is found on page 47 of the 2006 Denali National Park and Preserve Final Backcountry Management Plan (see reference section.) We recommend using the least restrictive tool to address user conflicts including education, voluntary registration systems, and enforceable stipulations for commercial operators. Planning decisions should be adaptive to changes of resource use at different scales.

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	Generally, recreational activities can impact resources where they are concentrated. Impacts may be reduced by allowing and/or developing the opportunity for resource users to disperse, and with the use of low impact modes of transportation (e.g., aircraft, watercraft, light fully-tracked vehicles), and seasonal all-terrain vehicles (e.g., snowmachines, 4-wheelers) when and where practicable. All areas, resources, and types of recreational activities are important. The RMP should allow for the use of existing cabins and construction of new public use/shelter cabins for all activities including seasonal activities, such as trapping or back country skiing. It is worth noting that the planning area could be affected by the future implementation of the DNR Guide Concession Program. In June 2012, DNR formed an Interagency Steering Committee with representatives from ADF&G, Division of Parks and Outdoor Recreation (DPOR), and BLM. The purpose of the committee is to cooperatively design and develop the framework of the Guide Concession Program.
66.	Mineral Management Resource exploration and development is a priority of the State, and therefore we request that BLM consult with the DNR before taking any actions that could negatively impact resource exploration and development, especially on State owned and state-selected lands. We request that BLM recognize the State's need and intent to facilitate resource exploration and development of mineral resources in the planning area. There are many mineral prospects and operating mines located within the planning area. We request that access for transportation and utility infrastructure to these mineralized areas be considered. Planning for BLM lands located near or adjacent to these mineralized areas should take into account the need for flexibility in planning for access and supporting infrastructure based on land ownership and physical characteristics of the terrain. Year-round access within the planning area utilizing existing access trails as much as possible, will reduce the need for large helicopters to move supporting equipment and materials as exploration and development progresses.
67.	Mineral Management Construction materials resources are required for the development, maintenance, and expansion of such mining-related infrastructure, as well as roads, pipelines, airports, businesses, residences, utilities, communication facilities, and similar types of projects required to support other existing and planned development. Transport of materials over any significant distance (e.g., more than 1000 ft from an existing road) quickly makes their use cost prohibitive, thus lack of materials sites within a reasonable distance from projects effectively prevents maintenance and development activities that are necessary and/or desirable. BLM acknowledges that "BLM-managed lands will be critical to developing the communications, transportation, and utilities infrastructure needed to support mining development on State and Native lands in the Planning Area" (Preparation Plan, Planning Issues and Management Concerns, subsection C. Mineral Development). Recognizing the critical need for construction material resources wherever infrastructure is present or planned, we strongly recommend that the BSWI RMP explicitly address the issue to facilitate appropriate development and maintenance activities wherever they may occur: • In addition to the specific areas of high mineral potential, consideration should be given to identifying prospective transportation corridors and related infrastructure, and the construction materials resources (sand and gravel, fill, etc.) that are required to support permissible development. • Similar consideration should be given to identifying such critical resources in any areas in which infrastructure currently exists in support of local communities, as well as their anticipated expansion and access needs. • Consider adding a clause to the BSWI RMP explicitly stating that areas within 1000 feet of existing and planned infrastructure and community development should be managed for materials resources in order to facilitate necessary maintenance and appropriate development. In addition, we ask that BLM consider removing the word "protection" when posing questions about resource development in this RMP, as it

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	implies that mitigation measures and reclamation requirements would not be stipulated to and enforced.
68.	Mineral Management Transportation of equipment to mine sites should be routed in uplands to the maximum extent practicable to avoid crossing waterbodies and/or require winter transport, particularly when crossing fish-bearing waterbodies. Stream substrate of crossing locations should be composed predominately of cobble. For all-season routes trails should be required to be developed and maintained to support given equipment, and other resource users should have access along these trails. Consultation with ADF&G's Division of Habitat and/or Title 16 Fish Habitat Permit is required for all work below the ordinary high water (OHW) mark, including stream crossings of fish-bearing water bodies and to determine if a permit is required.
69.	Lands and Realty All areas and potential points and routes of access are important and should be considered. BLM should acquire all appropriate acreage and potential points and routes of access that will provide consistent access at reasonable intervals along all transportation corridors. Any new rights-of-way, including routes to private inholdings should be available for use by all resources users, except where restricting some uses (e.g., transport of heavy equipment) may be necessary.
70.	In conclusion, the following key issues have been identified by many of the departments and programs offering input and information for this planning process. This is not to diminish the importance of the many suggestions and concerns articulated through this letter but rather to briefly summarize the most commonly expressed issues. • The plan must be developed in accordance with the provision of ANILCA. • DNR Area Plans establish management intent for state-selected lands. The State requests that BLM adopt the management intent for state-selected lands from the area plans for these areas. • The State requests that BLM recognize existing state authorities relative to fish and wildlife management. • If there are any BLM lands adjacent to state land that are not state-selected, appropriate access should be maintained through these areas. • State and native selections should be identified in the plan. • Reasonable consistency or compatibility in terms of management will minimize user conflicts and confusion. • If detailed land status identifies any areas where BLM owns the subsurface estate and a different entity owns the surface estate, we would like to know where these areas are before making final comments, particularly with respect to access. • The State requests that BLM recognize the State's need to facilitate resource development and utilize the state's land base for multiple uses. The State appreciates efforts to ensure close and consistent coordination throughout all phases of the planning process in order to address questions and facilitate resolution of issues as early as possible. Thank you for the opportunity to comment. Should you have any questions or concerns, please feel free to contact me at your earliest convenience.
71.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
72.	Climate Change Mineral Development As a result of the ongoing and anticipated changes, mining regulations and operation standards need to reflect our changing environment. An example listed by the DNR is the need to engineer and monitor tailings dams for changing permafrost conditions. The stability of formerly reliable resources is shifting and may result in catastrophic discharges of pollutants. The BLM must work to scrutinize mining proposals for operational changes to ensure best practices and prevent both health hazards and expensive reclamation that would be a burden to the public. Further recommendations from the DNR include accommodating changing patterns in precipitation either from increases in yearly precipitation

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	or elevated seasonal flood risks. Placer mining in particular is anticipated to have amplified erosion due to thawing permafrost for which DNR prescribes monitoring – which should be considered the minimum action to be taken and should include operation alterations. Travel associated with mineral activities will require closer monitoring to protect permafrost and sensitive vegetation as well as prevent increases in erosion. 'Shortened winter travel seasons will adversely affect mineral and energy exploration and development programs, requiring the agencies to monitor the freeze-up and break-up periods ever more closely.' (DNR, 2008) Monitoring will require notification and posting for snow machine and OHV travel restrictions during these time periods.
73.	Climate Change Permafrost Stability and OHV Management The melting of permafrost is known to cause significant changes in the landscape, from thermokarsts across the landscape slumping into rivers to the expansion and loss of water bodies. Clearly, significant changes in the distribution would alter the landscape of the Bering Sea Western Interior Planning Area, and if these changes continue at current rates or with greater frequency in the presence of large, intense fires, the results could be detrimental to many landscape and wildlife resources. Understanding how much of the Bering Sea Western Interior Planning Area landscape is underlain by permafrost is critical, and we encourage the management plan to include plans for better understanding permafrost and soils and to seek funding for such surveys, and ultimately, to incorporate this information into land management planning. Flexible management is needed to ensure that OHV use does not irreparably damage Alaska's changing landscapes. Education and monitoring is needed as well as clear trail designation and identification to ensure that unchecked trail widening and expansion does not continue within the planning area.
74.	Off Highway Vehicle Management Recreational OHV use has had major impacts on the planning area. The scarring damage on vegetation and sensitive tundra needs to be ended and strong preventative measures and enforcement need to be put in place. 'Degraded trails are a significant environmental problem because of their direct effects on vegetation, soils and site hydrology.' There are also associated effects on wildlife and esthetics. (Meyer, 2002) Our organizations recommend the study Managing Degraded Off-Highway Vehicle Trails in Wet, Unstable and Sensitive Environments, from USDA Forest Service written by Kevin G. Meyer. Meyer prescribes many ways to deal with and prevent trail degradation including: location documentation, condition assessment, improvement prescriptions, implementation and maintenance and monitoring. Further, our organizations feel that there is ample access for OHV uses in the planning area. Ongoing management for these areas needs to be improved to prevent the continued abuse of OHV users and maintain a high quality environment for future users.
75.	Travel Management Some of parts of the planning area are unplanned and currently have no OHV designation. We recommend protecting special areas with "limited" or "closed" use and continued "open" use in currently designated open OHV use areas.
76.	Recreation Management Goals Special/Extensive Recreation Management Goals Goal 1: Iditarod National Historic Trail - Continue to manage uses of the Historic Trail fall within the guidelines of the current Comprehensive Management Plan. Goal 2: Clear disclosure of visitor health and safety, user conflicts, and resource protection issues. Goal 3: Clearly identify management, monitoring and administrative report actions.
77.	Recreation Management Goals OHV Goals

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	Goal 1: Inventory existing and designated trails and their condition to identify the level of degradation and prioritize stabilization activities. Once priorities are established improvement prescriptions and implementation must be put in place. Monitoring and maintenance should be a large part of the plan. Goal 2: Properly document and identify designated trails and prevent the usage and proliferation of undesignated trails. Signs should be created and posted to designate trails and to educate the public on the importance of staying on trails, reporting degraded sites and holding others responsible for the lands we all share. Goal 3: Education on the impacts to soils and vegetation should be available to the public. Goal 4: Due to climate changes there are longer freeze and break-up periods where limitations may be necessary for both snowmachine and OHV uses to ensure that unnecessary damages are not incurred on public lands. This may include more strict weight limits, closures or visitor limitations to reduce traffic in the park.
78.	Recreation Management Goals Travel Management Goals Goal 1: Prohibit new road development within the primitive recreation zones. Goal 2: Prohibit road development within RNAs and ACECs.
79.	Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: § Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; § Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and § Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
80.	Roads, General Because one of the key decisions BLM land managers will make is whether or not there will be new roads across a planning area, there should be a Planning Criteria or decision making matrix associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of an additional Planning Criterion.

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	Roads can cause disruptions in the physical and chemical environments surrounding it, which can affect the health of lichen and animals that consume it. Roads and traffic cause physical harm to lichens and mosses as well as spread dust that can settle on plants blocking photosynthesis, respiration, and transpiration (Auerbach 1997, Ecological Applications "Effects of Roadside disturbance on Substrate and Vegetation Properties in Arctic Tundra."). Roads can also impact plants by introducing heavy metal deposition, salt accumulation, and by organic molecules like ozone and nutrients into the area. The National Park Service conducted a study in 2004 on cadmium and lead deposition on lands near Red Dog Mine and found heavy metals at their highest concentrations in plants nearest the road, and that decreased with distance. Heavy metals can accumulate in plants and then move up the food chain eventually to humans. If new roads are considered, the accumulated uses of the road, like the hauling of minerals or coal, is an important factor to consider. Building permanent gravel roads creates unnecessary access to wild lands, disturbs vegetation, and breaks up habitat. The proposed road will have both direct and indirect impacts. One of the major impacts of roads on tundra is that they melt permafrost and increase the depth of the tundra's active layer, leading to thermokarst adjacent to roads.16 Dust shadows on the leeward side of roads can accelerate snow melt and alter the surrounding plant communities, while drifted snow on the windward sides of roads can delay snowmelt, and the damming effects of roads can create impoundments.17 According to the NRC, "the area affected by thermokarst and impoundment associated with gravel fill is approximately double the area covered by gravel."
81.	Form Letter Master: The Alaska Wilderness League asked our membership and supporters to provide comments and concerns regarding planning in your areas. Specifically, we are asking that no new development is allowed and that mineral withdrawals remain in place. Please consider these comments as you develop the management alternatives for the Bering Sea Western Interior and Central Yukon Planning Areas. The Central Yukon and Bering Sea-Western Interior planning areas include vast populations of wildlife including caribou, moose, wolves, bears, migratory birds and fish. Both Alaska Natives and surrounding communities depend upon the bounty of the lands and waters for their livelihoods as commercial fisherman, and for subsistence, cultural and traditional practices. Yet, development projects including mines, roads and associated infrastructure could pose significant negative impacts on surrounding communities, including water degradation and reduced access to subsistence resources. The Bureau of Land Management should make sure that wildlife and our cultural history are preserved through these planning processes and that each area's existing mineral withdrawals (which currently prohibit mining and oil and gas development within each area) remain in effect, ensuring balance in both of the management plans.
82.	LAND TENURE DECISIONS BLM should look at future land tenure decisions with an eye toward maintaining key habitats and taking into consideration new proposals for trails and special management areas. Section 102(a)(1) of FLPMA requires that BLM-managed lands be retained in federal ownership unless BLM determines through the land use planning process that disposal of a particular parcel will serve the national interest. 43 U.S.C. 1701. Land tenure decisions must achieve the goals, standards, and objectives outlined in the land use plan. We recognize that the State of Alaska, with substantial selected federal acreage in the Bering Sea Western Interior planning area, has over-selected federal land by a significant amount. Because of this, some state-selected lands in the Bering Sea Western Interior planning area will, in fact, not become state owned and managed. Great care, therefore, should be taken to not write-off the state-selected BLM lands as we know some of these lands will remain in BLM management.

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	We recognize land disposal may be appropriate in some areas. However, the BLM should retain land near sensitive and ecologically important areas, including those within existing or proposed ACECs or other special management areas, and including citizen-proposed special management areas. Lands identified in new citizen proposals for special management that include lands not owned by BLM should be given priority for acquisition. BLM should only pursue land tenure decisions if they will serve the national interest by supporting key values and resources, such as protecting ecologically important areas and providing open space. In addition, disposal or exchange may be appropriate where the BLM determines that lands will be valuable for wildlife corridors. As local entities are also developing plans and considering the best uses for nearby lands, the relationship between the Resource Management Plan and these proximate plans will be important, since BLM's decisions can affect local open space, parks and trail plans. Particular care should be taken to prevent sale or exchange of BLM parcels highly valued by local communities for wildlife habitat, natural values, subsistence resources and recreation opportunities they provide. Further, disposal or exchange may be appropriate to assist with development around local communities. Recommendation: The BLM should work with local governments and tribes when identifying areas where disposal of public lands may be appropriate. However, BLM should first identify areas such as ACECs, citizen wilderness proposals, or sensitive species habitat for retention and acquisition. BLM should carefully manage state over-selected lands and should not dispose of parcels valued by local communities for their open space, wildlife habitat, subsistence values and recreation opportunities.
83.	TRAVEL MANAGEMENT BLM's internal guidance states that "each RMP will divide planning areas into OHV area designations that are open, limited or closed." IM No. 2004-005, see also 43 C.F.R. § 8342.2(b). This internal guidance was also incorporated into the updated version of BLM's Land Use Planning Handbook. H-1601, Appendix C, Section II.D (Comprehensive Trails and Travel Management). The Land Use Planning Handbook states that BLM should: • Complete a defined travel management network (system of areas, roads and/or trails) during the development of the land use plan, to the extent practical. If it is not practical to define or delineate the travel management network during the land use planning process, a preliminary network must be identified and a process established to select a final travel management network. (Emphasis added.) • Special management areas, such as ACECs, recreation management areas and citizen-proposed wilderness, must include travel designations within their boundaries. Recommendation: BLM must complete comprehensive travel management concurrently with the RMP process. The RMP should also identify priority areas for implementation of the travel plan.
84.	ROADS Because one of the key decisions bureau land managers will make is whether or not there will be new roads across a planning area, there should be planning criteria associated with road development. Roads increase access to an area, thus reducing subsistence opportunities. Additionally, road construction (through acquisition and transport of gravel), use, and increased access necessarily degrade wildlife habitat. The importance of these two types of impacts compels issuance of additional planning criteria. While roads can enable industrial development to occur more inexpensively, they are far from essential for oil and gas and mining development. Transmission pipelines do not need roads associated with them for construction, leak detection, or spill response. Roads can and do result in significant, adverse effects from construction and traffic – they adversely affect wildlife, especially caribou, and require extensive gravel mining and transport. There are two crude oil transmission pipelines in the Arctic without roads, the Alpine to Kuparuk pipeline (34 miles long, 95,000 bbl/day) and the

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	Badami to Endicott pipeline (25 miles long, peak transmission was 7,450 bbl/day). Leak detection for transmission pipelines typically is performed using instrumentation via internal or external (i.e., wire-resistance) monitoring. The State of Alaska requires crude oil transmission pipelines to meet the following leak and spill detection and shut-down requirements: 18 AAC 75.055. Leak detection, monitoring, and operating requirements for crude oil transmission pipelines. a) A crude oil transmission pipeline must be equipped with a leak detection system capable of promptly detecting a leak, including 1) if technically feasible, the continuous capability to detect a daily discharge 2) equal to not more than one percent of daily throughput; 3) flow verification through an accounting method, at least once every 24 hours; and 4) for a remote pipeline not otherwise directly accessible, weekly aerial surveillance, unless precluded by safety or weather conditions. b) The owner or operator of a crude oil transmission pipeline shall ensure that the incoming flow of oil can be completely stopped within one hour after detection of a discharge. Given these existing requirements, there does not need to be any additional aerial, visual surveillance of a crude oil transmission pipeline that does not have an associated road. Because 18 AAC 75.055 (b) requires that the flow of oil must be stopped within one hour of discharge detection, shut-down for Arctic crude oil transmission pipelines would be done by remotely-operated valves. Additionally, roads are not necessary for transmission pipeline leak and spill cleanup. Helicopters and snowmachines could be used in the winter for access. Low-ground-pressure vehicles could be used in the summer, as will be allowed in the NPRA to complete specific tasks (Final Integrated Activity Plan, Chapter 4, p. 46). Similarly, mines can be accessed via rail rather than via road to reduce subsistence and habitat impacts. Recommendation: We propose the bureau consider non-road alternatives a priority over road developments to minimize adverse impacts to subsistence and wildlife habitat, as an additional planning criterion.
85.	LANDSCAPE LEVEL PLANNING AND TRAVEL MANAGEMENT Landscape level planning attempts to harmonize land use plans of various organizations by linking regional conservation and development goals to regional priorities. Government agencies, market interests, civic groups and land planners play active roles in constructing and implementing land use plans. Landscape level planning is a tool that can harmonize disparate goals and stakeholders while balancing economic development and conservation initiatives within the same geographic area. Landscape planning helps situate individual plans and land units within larger economic, social, and ecological context to create optimum solutions for previously incoherent land use decisions. Travel planning requires the agency to manage human travel across the landscape. The land use planning process, which addresses the broader landscape within a planning area, provides one of the best opportunities to make travel planning decisions in the appropriate context. While we understand that BLM does not have authority to control air traffic, BLM must include considerations concerning roads when analyzing the transportation network associated with development as roads have a great impact on habitat fragmentation and reduction in core area size. The placement and design of travel routes defines which areas will remain or become roadless, and which areas will be disturbed and how. In other words, route decisions determine the fragmentation of the landscape, and, thus, how naturally or unnaturally a landscape will behave in terms of water flow and quality, wildlife migration, and species composition and function. Recommendation: BLM should address travel management on a landscape-level by evaluating the impacts of all trails in the planning area and tailoring its management prescriptions to account for and mitigate the landscape-wide impacts of trails roads in conjunction with the objectives of the RMP.

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86.	RECREATION Preserving traditional "quiet" forms of recreation such as hiking, backpacking, non-motorized hunting, angling, rafting, skiing, dogsledding and birdwatching are values to be upheld in drafting the Resource Management Plan. On the public lands, many members of the public want to experience naturalness, quiet natural soundscapes, undeveloped scenery, an undisturbed natural landscape, the timelessness and geological sweep of the BLM's remote and rugged landscapes, a low level of facilities and management presence, and opportunities for uncrowded and solitary experiences. Retaining the ability to recreate in primitive, undeveloped, natural appearing settings is an important consideration in the RMP. The experiences of import are those of closeness to nature, a contemplative relationship with the natural world, savoring the total sensory experience of a natural landscape, escape from crowds, quieting our minds by escaping traffic and busy communities, and a sense of humanity's place in the larger universe, as well as improved outdoor knowledge, independence, self-reliance and a sense of adventure. Quiet recreation experiences should be carefully considered in the bureau's planning process, with a keen eye to preserving for future generations these time-honored traditional experiences of the outdoors. Recommendation: In managing recreation on the lands of the Bering Sea Western Interior, the RMP should ensure that quiet recreation opportunities are given sufficient attention and that management of motorized recreation, in general, is also designed to protect the experiences of other public land visitors.
87.	CULTURAL AND HISTORIC RESOURCES FLPMA obligates the BLM to protect cultural, geologic, and paleontological resource values (43 U.S.C. §§ 1701(a)(8) 1702(c)). In the context of historical and cultural resources, the National Historic Preservation Act of 1966 ("NHPA") (16 U.S.C. § 470 et seq.) affords heightened protection to these resources, establishing a cooperative federal-state program for the protection of historic and cultural resources. In particular, the review process set out in Section 106 (16 U.S.C. § 470f) obligates the BLM to consider the effects of management actions on historic and cultural resources listed or eligible for inclusion under NHPA. Additionally, Section 106 requires the BLM to consider the effects of its management actions on all historic resources and to give the Advisory Council on Historic Preservation an opportunity to comment before the BLM takes action. Section 110 of the NHPA requires the BLM to assume responsibility for the preservation of historic properties it owns or controls (16 U.S.C. § 470h-2(a)(1)), and to manage and maintain those resources in a way that gives "special consideration" to preserving their historic, archaeological, and cultural values. Section 110 also requires the BLM to ensure that all historic properties under the jurisdiction of the field office are identified, evaluated, and nominated to the National Register of Historic Places. Id. § 470h-2(a)(2)(A). The Anchorage Field Office must carefully consider the effects of all RMP decisions on the historical and cultural values located in the planning area. In conducting travel planning, the BLM should consider where motorized and non-motorized routes are directing people, inventory cultural resources along those routes, and carefully consider the potential impacts to those resources.
88.	BLM should prioritize the long term health and maintenance of the WACH and the habitats upon which it depends within the Planning Area to ensure the health of the herd and subsistence opportunities for the communities of northwestern Alaska. With the herd currently in decline, habitat conservation in the next decade will help promote resiliency of the herd. Conservation of caribou habitat can accomplished by: a) Prohibiting industrial activities, including mining, in the core seasonal habitats (Figure 2). b) Avoiding disturbance to caribou as they engage in their annual seasonal movement and avoid fragmentation of their range (Figure 3), including minimizing impacts from industrial activities and transportation, recreational users and other forms of non-subsistence development and

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	travel. c) Identifying and recommending permanent, administrative (e.g. ACEC) or seasonal protection measures needed for important habitats and subsistence use areas for lands with the planning area. d) Prohibiting dust-control treatments (e.g. chemicals) that may be harmful to caribou, their habitat and people on roads through BLM managed lands.
89.	D. Yukon River Salmon Act (YRSA) treaty obligations; Under the terms of the YRSA, which was ratified in 2002, the United States is bound to pass a set number of Chinook and fall chum salmon across the Canadian border to provide for Canadian harvests and escapement needs. Chinook salmon escapement requirements have not been met for the last five of seven years. In addition to specific escapement requirements, the YRSA also mandates habitat protection: 30. In light of the benefits they receive from the salmon originating in their portions of the Yukon River, the Parties agree that: a) salmon should be afforded unobstructed access to and from, and use of, existing migration, spawning and rearing habitats; b) respective water quality standards should be maintained and enforced; c) productive capacity of the salmon habitat on both sides of the Alaska-Yukon border should be maintained in order to achieve the objectives of this Chapter; and d) should access be obstructed, water quality standards be degraded or productive capacity of the salmon habitat be diminished to a degree that affects the objectives established in this Chapter, the Yukon River Panel may recommend corrective actions which may include adjustments to fishing patterns, border escapement objectives and guideline harvest ranges.2 Management measures adopted in the BSWI RMP must be compliant with the United States' escapement and habitat obligations under the YRSA.
90.	How will BLM manage mine operations and access/haul roads to ensure that public lands are protected? For example, trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.11 Two National Park Service studies have shown that the heavy metal dust has contaminated land up to 25 km north of the road. Although the company that operates the mine has recently made operational changes to reduce releases of "fugitive dust," the releases have not been entirely eliminated and there is no indication that the existing contamination will be remediated. Much of the area between the port and the mine is traditional subsistence hunting and berry-gathering land, and some of the area is embraced within the boundaries of the Cape Krusenstern National Monument. Recommendation: The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines along transportation corridors that could affect public lands.
91.	Access (including RS 2477) The plan should acknowledge the existence of and include maps of access routes claimed by the state under RS 2477 and ensure that existing and proposed access routes are kept open for public use. The plan should also provide for new access corridors across vacant and unappropriated BLM-managed, public domain land.

8.2.21 Issue 21: Areas of Critical Environmental Concern

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1.	Areas of Critical Environmental Concern (ACECs) are great. Keep them. Manage them well. Expand them if it is necessary in order to achieve their purpose. The public and the Tribes may have new ones that are relevant today that weren't relevant 20 years ago. Have the ACECs mean something. Have people outline the areas they care about. ACECs should not be open to mining and oil and gas. Then you're setting yourself up for hard fights forever.
2.	Could you clarify the quantity of conservation system units (CSUs) that BLM manages? A gentleman made a guess that 60% of federal lands are CSUs. I think CSUs are about 50% of federal lands and BLM manages 30% of those. Can anybody clarify?
3.	Interest in watershed impacts to salmon spawning areas (e.g., potential consideration for ACEC)
4.	There is nothing ACEC-like that protects salmon spawning, where do the salmon spawn? Are there areas on BLM lands that might be good for an ACEC?
5.	Peregrine Falcon ACEC • There are many raptors and eagles in the area of RM. • There are falcons right in front of the village. • There are raptors and eagles where the red dot is on the map for the Peregrine Falcon ACEC. • The Audubon Society brings people out here every couple of years and they photograph the cliffs and birds, they don't come to our village and visit. It is important to protect those areas so that those birders would still continue to come and visit.
6.	There are no sheefish, except for at the mouth of the Unalakleet River, up the North River ACEC or far up the Unalakleet River ACEC.
7.	Both the North River ACEC and the Unalakleet River ACEC are very important for salmon and chinook salmon
8.	Unalakleet River ACEC is critical for chinook salmon spawning.
9.	North River ACEC is valuable for caribou hunting that is reliable every year
10.	North River ACEC headwaters is very important for chinook salmon spawning
11.	Desire to protect Kingmetolik River area (due east of Shaktoolik) and the North River ACEC for future caribou herd migration
12.	Wetlands associated with the corridor surrounding the Innoko River, west to the Yukon River from the southern border of the Innoko National Wildlife Refuge south to the Yukon-Kuskokwim Portage Lakes region (including Paimuit and Innoko sloughs), have been shown to be important staging habitat for migratory birds, especially for species of high subsistence value and harvest. Satellite telemetry studies involving cackling geese, greater white-fronted geese, tundra swan, sandhill crane, the Wrangel Island population of lesser snow geese, and the tule subspecies of greater white-fronted geese have all indicated stopover and staging use in this region during fall and/or spring migration periods. Spring locations have indicated periods of prolonged use (greater than a week) suggesting at least some birds may be using this as a final nutrient acquisition area prior to arrival on the nesting grounds. For this reason, we believe this area would qualify as an "Area of Critical Environmental Concern."
13.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the

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	western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments proposed for Wild and Scenic Rivers Act ("WSRA") designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
14.	Areas of Critical Environmental Concern - According to BLM, currently there are five ACECs in the BSWI Planning Area. Doyon strongly agrees with BLM that the existing ACECs in the Planning Area should be reviewed as part of this planning process. Since the ACECs were established in the 1980s, significant areas within or adjacent to a number of the ACECs in the Planning Area have been conveyed to Doyon and the State. For instance, Doyon now owns significant land holdings in the areas of the villages of Holy Cross and Grayling. As a result, significant portions of the Southwest Peregrine Falcon Habitat ACECs are no longer in federal land status, and should be removed formally from the ACECs. Other areas within the ACECs may no longer be appropriate for continued designation because of the status of adjacent lands and/or for other reasons. For instance, as BLM has recognized, "An existing ACEC may no longer be valid if the original reason for designation is not as important as it previously was (e.g., protection of past Federally-listed endangered species that are now de-listed)." BSWI RMP Special Designations in the BSWI Planning Area poster, available at https://www.blm.govhml-frontoffice/ projects/lup/36665/45391 /48945/BSWI Special Designations FINAL.pdf. In this regard, the Peregrine Falcon Nesting Habitats and the Kuskokwim River Area Raptor Nesting Habitats were established under the 1981 Southwest Management Framework Plan after BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat. As a result in the recovery of the peregrine falcon population, the U.S. Fish and Wildlife Service removed the species from the Federal list of threatened and endangered species effective August 25, 1999. Accordingly, there may no longer be valid justification to maintain these ACECs.
15.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to

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	them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
16.	ANILCA The BSWI RMP planning area already includes numerous areas that have been specifically set aside for conservation purposes (including designated Wilderness.) The remaining BLM-managed lands in the area represent the only federal lands available for multiple use. Conservation system units (CSU) established by the Alaska National Interest Lands Conservation Act (ANILCA) within this planning area include the Unalakleet Wild River, the Andreafsky Wild River, the Iditarod National Historic Trail (NHT), the Innoko National Wildlife Refuge, the Yukon Delta National Wildlife Refuge, and a portion of the Lake Clark National Park and Preserve. BLM's Preparation Plan cites the need for preparing the BSWI RMP is to replace the 1981 Southwest Management Framework Plan (MFP), which is not in compliance with current planning regulations and policies. The National Landscape Conservation System (NLCS) is referenced as an example of "…requirements that did not exist when the MFP was prepared" (BSWI RMP Preparation Plan, page 7). While Public Law 111-11,123 Stat 991 (Mar.30,2009) which established the NLCS, was enacted after the Unalakleet Wild River and the Iditarod NHT were designated as CSUs under ANILCA, section 2002(d)(1) of the NLCS legislation includes an important caveat. "(1) In General. --Nothing in this subtitle enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including – (A) ANILCA…" As such, we request the RMP clarify that nothing in the NLCS legislation amends direction in ANILCA for individual units within the system. We also request the RMP explicitly recognize and take into consideration those provisions of ANILCA that apply to the planning area – both on BLM managed lands and lands managed by other federal agencies – to fully inform the public and land managers of applicable law and to ensure that proposed management actions are consistent with ANILCA.
17.	Special Designations We request that any actions taken to designate special management areas be coordinated with the State at all stages. This is of particular importance if proposed restrictions, such as seasonal closures or limits on visitor use days, affect State lands, waters, or authorities or if deviations from State land use plans are considered. Any area and/or corridor system designated for any special purpose should be selected with a high level of public support. Because special management area designations have the potential to impose additional limitations or management strategies on public lands, these designated areas should be delineated judiciously in order to balance public use with the protection of public resources. Proposed additions should be for the same purposes, with special attention paid to both relevance and importance per 43 CFR 1610.7-2. We request that proposed designations, and or additions, focus on the exact amount of land necessary to ensure the appropriate management status for specific resource management issues, and encompass the smallest area required for the underlying purpose of the designation. Special areas should be open to other resource users to the extent practicable and compatible with the give designation.

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	If past BLM plans provide a guide, we understand potential limitations within areas of special designation may be further defined in subsequent "step-down" management plans. If limitations are proposed on BLM lands through the RMP process, we request that the plan include a thorough analysis of the use and associated issues and concerns. If subsequent planning or inventory activities are needed to support the proposed limitations, we recommend including an associated timeframe for completion of the additional work.
18.	Areas of Critical Environmental Concern We request that the plan provide clear information on how Areas of Critical Environmental Concern (ACEC) are designated and their management implemented, including how uses within them may be limited. Few members of the public are familiar with this designation and need to have information presented to them that will allow consideration of their proposed use and the development of comments. The Southwest Planning Area Management Framework Plan (MFP), which encompassed much of the BSWI planning area, included numerous proposals for wildlife habitat management, such as proposed ACECs. ACECs were proposed for peregrine falcon and other raptor nesting areas, brown bear denning and heavy use areas, and for chum salmon habitat. Additional areas were also proposed for Habitat Management Plans, such as priority moose habitat areas, and priority caribou winter range areas. Our understanding is that neither ACECs nor Habitat Management Plan proposals were acted upon through the MFP. If BLM re-evaluates any of these proposals in the BSWI planning process, we request close coordination with ADF&G to ensure consistency with state fish and wildlife objectives.
19.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
20.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
21.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats.

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	To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
22.	Areas of Critical Environmental Concern The Bering Sea Western Interior planning area contains 5 Areas of Environmental Concern (ACECs) and no Research Natural Areas (RNAs). Depending on current land status realities, current management of the ACECs in the Bering Sea Western Interior planning area should be maintained. Keeping these special areas closed to mineral development is a high priority. BLM's Land Use Handbook requires that ACECs must be protected to prevent irreparable damage to resources. The BLM should closely examine the planning area and seriously consider expansion of some of the ACECs and investigate nominations for more ACEC designation. Current ACECs – mineral exploration currently allowed in all ACECs. • Anvik River - Spawning habitat for the largest population of chum salmon in the Yukon River system. Large population of trophy-class grizzly/brown bears • North River -Salmon and sheefish spawning and rearing • Unalakleet River -Salmon and sheefish spawning and rearing • Peregrine Falcon Nesting Habitat -Peregrine falcon and habitat protection • Kuskokwim Raptor Nesting Habitat - Important nesting habitat for bald eagles, golden eagles, osprey, and gyrfalcons (all raptors) In 1991, BLM was mandated by the Endangered Species Act to protect peregrine falcons and their habitat
23.	Areas of Critical Environmental Concern Stream monitoring programs if not already taking place, need to be initiated within the planning area. Areas that impacted by historic and current mining activity should be priority areas. • Expansion of ACECs When evaluating ACEC designations BLM must consider climate change and the integrity of habitat areas. The peregrine falcon was provided habitat protection due to its threatened species listing. These protections have made a difference for this species but should not be removed to allow for mining, oil and gas surface disturbing activities. Due to climate change impacting landscapes and habitat areas, further protection for terrestrial and aquatic species is necessary. Wildlife need connected habitat areas to thrive. An expansion of the ACECs with the purpose to provide a higher degree of protection to caribou calving grounds, migration corridors and wintering grounds should be considered for inclusion in under the ACEC designation. • New Nominations for ACEC Current ACEC designation is limited and deserves a hard look at other special areas deserving of special protection measures. BLM must take a hard look at essential habitat areas, subsistence use areas and special geologic features in the planning area.

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24.	ACEC Goals Goal 1: Identify the resources and support necessary to promote and maintain the wild, scenic and scientific qualities of ACECs. Goal 2: Identify (further) rehabilitation and reclamation needs within the ACECs. Goal 3: Develop management objectives that protect and enhance the resource values. This includes prohibiting activities that would degrade the qualities of current and potential designations. Goal 4: Determine if the expansion of existing ACECs is necessary to ensure protection of the natural environment and integrity of the local system. Goal 5: Review specified areas for potential inclusion in the National Natural Landmarks Program. Goal 6: Close all designated ACECs to mineral development to protect the values of the area. Goal 7: Designate wildlife corridors as an ACEC with the strongest protections to ensure sustainability of the resource and its historic and current uses.
25.	Recreation Management Goals Travel Management Goals Goal 1: Prohibit new road development within the primitive recreation zones. Goal 2: Prohibit road development within RNAs and ACECs.
26.	Mineral Management Goals Recommendations: • Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. • BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. • BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. • The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. • BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. • The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. • The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands. • The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. • The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events,

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	particularly for facilities that will be managed in perpetuity.
27.	Recommendations on Website Information: We recommend posting analyses on the Bering Sea Western Interior website as soon as they are available on issues such as Areas with Critical Environmental Concern evaluations, evaluation of Lands with Wilderness Characteristics and analysis of comments submitted on the Draft Plan.
28.	MULTIPLE USE MANDATE INCLUDES PROTECTION OF NATURAL RESOURCES The Bureau of Land Management is required to manage its lands under a multiple use mandate. At the same time, the Federal Land Policy and Management Act (FLPMA), 43 U.S.C. § 1701 et seq., imposes a duty on BLM to identify and protect the many natural resources found in the public lands governed by the Bering Sea Western Interior management plan. FLPMA requires BLM to inventory its lands and their resource and values, "including outdoor recreation and scenic values." 43 U.S.C. § 1711(a). BLM is also required to identify Lands with Wilderness Characteristics. FLPMA also obligates BLM to take this inventory into account when preparing land use plans, using and observing the principles of multiple use and sustained yield. 43 U.S.C. § 1712(c)(4), 43 U.S.C. § 1712(c)(1). Through management plans, BLM can and should protect wildlife, scenic values, recreation opportunities and wilderness character in the public lands through various management decisions, including by excluding or limiting uses of the public lands in time or space. See 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of various aspects of wilderness characteristics (such as recreation, wildlife, wilderness, and natural scenic values) and requires the bureau's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). Under FLPMA, the bureau is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. § 1712(c)(3). ACECs are areas "where special management is required (when such areas are developed or used or where no development is required) to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes." 43 U.S.C. § 1702(a). For potential ACECs, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). ACECs established for their significant biological and physical features, including plant or animal species or geological, soil or water features. RNAs have "ecological or other natural history values of scientific interest" and are managed for research and educational purposes. Outstanding Natural Areas (ONAs) are another management tool, established to preserve scenic values and natural wonders. ONAs contain unusual natural characteristics and are managed primarily for educational and recreational purposes. Recommendation: The resources in the Bering Sea Western Interior planning area include many values that merit protection through special administrative designations. Protection of existing ACECs and due consideration of newly-proposed ACECs, RNAs and ONAs, must be a priority in the Bering Sea Western Interior planning process. See page 24 for specific recommendations.
29.	Layering Special Administrative Designations Nothing prevents the BLM from overlapping administrative designations, such as WSAs and ACECs or Special Recreation Management Areas (SRMAs) and Wild and Scenic River segments. For example, BLM's Jarbidge RMP (and subsequent amendments) in southern Idaho designated the Bruneau/Jarbidge River ACEC and the Salmon Falls Creek ACEC, which overlap the Bruneau River-Sheep Creek WSA, Jarbidge River WSA, and Lower Salmon Falls Creek WSA, and includes the Salmon Falls Creek, deemed eligible for inclusion in the National Wild and Scenic Rivers System. See BLM, Jarbidge Field Office, Idaho, Analysis of the Management Situation for the Jarbidge Resource Management Plan: Resource Management Plan/Environmental Impact Statement at 212-216 and Figure 39 (Locations of Current ACECs) (July 2007), available at

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	http://www.blm.gov/pgdata/etc/medialib/blm/id/plans/jarbidge_rmp/documents/analysis_of_the_management.Par.59385.File.dat/part13.pdf, Figure 40: Wilderness Study Areas, available at http://www.blm.gov/pgdata/etc/medialib/blm/id/plans/jarbidge_rmp/documents/analysis_of_the_management.Par.18048.File.dat/part14.pdf . These overlapping administrative designations ensure that BLM protects both the relevant and important values associated with the ACECs and the wilderness character of the WSAs, both through current management and in the event WSAs are released during the life of the plan. In certain situations, overlapping administrative designations are needed to fully protect the resources, for example Integrated Master Plan management of Wilderness Study Areas might differ greatly from the special management attention envisioned for the relevant and important values of a particular ACEC or in the event of congressional WSA release.
30.	Layering Special Administrative Designations FLPMA directs BLM to manage public lands for multiple use and sustained yield (Section 102(a)(7)). As a multiple-use agency, the BLM is required to implement laws, regulations and policies for many different and often competing land uses and to resolve conflicts and prescribe land uses through its land use plans. BLM's Land Use Planning Handbook requires that specific decisions be made for each resource and use (Planning Handbook "H-1601-1"). Specific decisions must be included in each of the alternatives analyzed during development of the land use plan. As each alternative is formulated, each program decision is overlaid with other program decisions and inconsistent decisions are identified and modified so that ultimately a compatible mix of uses and management prescriptions result. As clarified by the BLM, because different administrative and congressional designations serve different purposes, and management is often limited to protect only those values relevant to those particular designations, the fact that an ACEC may lie within a WSA does not justify failing to create the ACEC and the fact that a proposed Special Resource Management Area (SRMA) may overlap with an ACEC does not obviate the need for the SRMA. Recommendation: BLM should create management zones and consider layering of special administrative designations to conserve important habitats, as well as to achieve management goals and prescriptions in the Bering Sea Western Interior draft plan.
31.	TRAVEL MANAGEMENT BLM's internal guidance states that "each RMP will divide planning areas into OHV area designations that are open, limited or closed." IM No. 2004-005, see also 43 C.F.R. § 8342.2(b). This internal guidance was also incorporated into the updated version of BLM's Land Use Planning Handbook. H-1601, Appendix C, Section II.D (Comprehensive Trails and Travel Management). The Land Use Planning Handbook states that BLM should: • Complete a defined travel management network (system of areas, roads and/or trails) during the development of the land use plan, to the extent practical. If it is not practical to define or delineate the travel management network during the land use planning process, a preliminary network must be identified and a process established to select a final travel management network. (Emphasis added.) • Special management areas, such as ACECs, recreation management areas and citizen-proposed wilderness, must include travel designations within their boundaries. Recommendation: BLM must complete comprehensive travel management concurrently with the RMP process. The RMP should also identify priority areas for implementation of the travel plan.
32.	AREAS OF CRITICAL ENVIRONMENTAL CONCERN Both FLPMA and the BLM's ACEC Manual (1613) emphasize the BLM's important duty to administratively designate and protect Areas of Critical Environmental Concern. For example, FLPMA states: The Congress declares that it is the policy of the United States that - …regulations and plans for the protection of public land areas of critical

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	environmental concern be promptly developed…FLPMA Title I Sec.102(a) [43 USC 1701]. The Secretary shall prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values (including, but not limited to, outdoor recreation and scenic values), giving priority to areas of critical environmental concern. FLPMA Title II Sec. 201(a) [43 USC 1711]. In the development and revision of land use plans, the Secretary shall - give priority to the designation and protection of areas of critical environmental concern. FLPMA Title II Sec. 202(c) [43 USC 1712] Therefore, ACEC creation and protective management are clearly intended to be a high priority within the bureau's mission. ACECs provide an important mechanism for the BLM to actively conserve and recover imperiled species, amongst a broad array of other conservation objectives.
33.	AREAS OF CRITICAL ENVIRONMENTAL CONCERN In addition, the bureau's manual directs that, for ACECs proposed in at least one alternative, management prescriptions are to be "fully developed" in the RMP. Manual 1613, Section .22 (Develop Management Prescriptions for Potential ACECs). BLM should include specific management prescriptions for each ACEC that will protect the highlighted values, such as mineral withdrawal or route designations. Id. and Section .33.C (Provision for Special Management Attention). Setting out more real protections and detailed management prescriptions in the RMP will ensure security of the ACEC values. There are five existing Areas of Critical Environmental Concern in the Bering Sea Western Interior planning area. They are: • North River ACEC – important landscape values supporting salmon and sheefish spawning and rearing habitat; • Unalakleet River ACEC - important landscape values supporting salmon and sheefish spawning and rearing habitat; • Anvik River ACEC – spawning habitat for the largest population of chum salmon in the Yukon River system and large populations of trophy-class grizzly/brown bears; • Peregrine Falcon Nesting Habitat – several Peregrine Falcon Nesting ACECs are currently in place. • Kuskokwim River Area Raptor Nesting Habitats – Important nesting habitat for bald eagles, golden eagles, osprey and gyrfalcons (all raptors). Recommendation: We recommend the bureau retain all existing ACECs in the Bering Sea Western Interior planning area and expand and improve management prescriptions to protect these important places. We recommend establishment of new ACECs to protect anadromous fish and caribou habitat. The Bering Sea Western Interior plan must evaluate a range of alternatives including ACEC designations to protect sensitive and important resources in the planning area. The RMP should establish robust management prescriptions to ensure real protection for the resources which ACECs are designated to protect. Pew will submit additional information to BLM between now and the release of the draft RMP to nominate additional specific areas for protection.
34.	Proposed Kuskokwim River King Salmon ACEC The Kuskokwim River has experienced poor Chinook salmon returns since 2010. With salmon the staple of the traditional and customary lifestyle of communities in the Bering Sea Western Interior area, the bureau should create an ACEC on BLM land adjacent to the Kuskokwim River to protect chinook salmon runs as this declining trend over time is of a conservation concern. Healthy and abundant Chinook salmon are essential to the cultural, nutritional, and economic well-being and way of life on the Kuskokwim River. The subsistence salmon fishery in the Kuskokwim is one of the largest and most important subsistence fisheries in North America. The Kuskokwim River has experienced below average Chinook salmon returns, missed escapement goals, and subsistence restrictions since 2010. Late subsistence restrictions were imposed to protect tributaries of concern. In 2011, the Kuskokwim River experienced the second lowest estimated total run and spawning escapement of Chinook salmon. The Kwethluk and Tuluksak rivers did not meet Chinook salmon sustainable escapement goals for the fourth and fifth consecutive years, respectively. The George River did not meet its escapement goal in 2011, nor had the escapement goal been met in three of the

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	previous four years. Only one tributary (of four with weir based escapement goals), achieved the escapement goal in 2011. In 2013, Chinook salmon escapement could very well be by far the lowest Chinook salmon escapement on record. The Bethel Test Fishery was by far the lowest on record. Not a single weir based tributary escapement goal was met for Chinook salmon nor is it likely that the drainage-wide escapement goal will have been met. Furthermore, all but one tributary had the lowest return on record. Low returns of Chinook salmon had a drastic effect on upriver Kuskokwim communities that had a difficult time catching Chinook salmon and meeting their subsistence needs. This is not the first year where middle and upriver communities have suffered.
35.	Planning Question: <u>Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws?</u> Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers
36.	<u>Land Designations within the Environmental Impact Statement (EIS)</u> The RMP and any accompanying or proposed EIS should consider the cumulative impact on the state's economy and public access to federal, state and ANCSA lands that results from special land designations such as Wild and Scenic Rivers, Wilderness recommendations, special management for lands with "wilderness characteristics," Areas of Critical Environmental Concern, and Research Natural Areas recommended in this plan; combined with the impacts of similar designations contained in other recently adopted BLM Resource Management Plans.
37.	Much of the area has wilderness like qualities and is unexplored Much of the areas within the RMP have wilderness like qualities, and should not require designation to retain such qualities. RDC is opposed to the BLM listing lands as Areas of Critical Environmental Concern, designating additional Wild and Scenic Rivers, and no areas should be considered for Wilderness designation. Federal acreage dedicated to Conservation System Units in Alaska is nearly 148 million acres, accounting for 70 percent of all national park lands in the U.S., 80 percent of wildlife refuge acreage, and 53 percent of federally-designated Wilderness, at 58 million acres. The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) was the final word on additional conservation units for Alaska. The RMP should explicitly acknowledge the unique compromises of ANILCA, which include identification of sufficient conservation lands.

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Furthermore, the area included in the RMP should be further evaluated for mineral potential before restrictive land designations are implemented. Sufficient mapping and geological information should be acquired, and until then, the area should be left open to all uses.

8.2.22 Issue 22: Wild and Scenic Rivers

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1.	Closing the wild & scenic water to lodge fishing and stop the catch & release. I personally seen the infection it causes to the fish-I've observed bright silver king salmon lying on the bottom of the UNK river.
2.	Watersheds are critical to be protection to keep waters and habitat is in pristine as in 2013. Unalakleet Wild & Scenic River and run of river needs reservation of water rights to the NVU tribe in perpetuity protection of water and water rights for the local people and all living creatures, plants and a well protected habitat.
3.	Could you clarify the quantity of conservation system units (CSUs) that BLM manages? A gentleman made a guess that 60% of federal lands are CSUs. I think CSUs are about 50% of federal lands and BLM manages 30% of those. Can anybody clarify?
4.	Refuge discretionary policies, internal enforcement directives to federal agents, and de facto regulations should be openly shared with State and local/municipal officials in the affected region. Minimally, policy and rule making activities by individual federal directors must be placed in the federal register and/or open to public comment.
5.	Iditarod Trail use is occurring across native allotments and some allottees don't want the events that occur on the trail to cross their allotments.
6.	Q: What is the status of the water rights on the Unalakleet? A: The BLM installed stream gauges on the Main Unalakleet River in the past to document stream flow and apply for the minimum flow water right for maintaining spawning fish habitat and the values for which the river was designated as "wild." Permit status with the SoA currently unknown.
7.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments proposed for Wild and Scenic Rivers Act ("WSRA") designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other

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	federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
8.	Wild and Scenic Rivers - Doyon generally opposes recommending additional river segments for inclusion in the National Wild and Scenic Rivers System ("NWSR"). NWSR recommendation and designation imposes significant restrictions on the use of, and access to, surrounding lands. Recommendation and designation of additional river segments reviewed in connection with this planning effort could prevent Doyon from reasonably accessing its lands and enjoying the full economic benefit of those lands as intended by ANCSA. BLM's Wild & Scenic Rivers Manual states that, when addressing suitability, BLM should address, among other questions, whether "the river's free-flowing condition, water quality, and outstandingly remarkable values [will] be protected through designation" and whether "there [is] a demonstrated commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management." The Manual further states that the following factors, among others, are to be considered in evaluating the suitability of a river segment: 2. The current status of land ownership and use in the area. 5. The extent to which the agency proposes that administration of the river, including the costs thereof, is shared by state and local agencies. 7. A determination of the extent that other Federal agencies, the state, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the National System. 10. The existing support or opposition of designation. Assessment of this factor will define the political context. The interest in designation or nondesignation by Federal agencies; state, local, and tribal governments; national and local publics; and the state's congressional delegation should be considered. BLM Manual, 6400 - Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, Planning, and Management (Public), at 3-4 (BLM July 12, 2012). In general, the State of Alaska opposes designation of additional river segments for inclusion in the NWSR. Doyon also generally opposes recommending additional river segments for inclusion in the NWSR. These considerations should weigh heavily against any finding that additional river segments in the Planning Area may be suitable for designation under the WSRA.
9.	Areas of Critical Environmental Concern - Moreover, the RMP should not propose the designation of any new ACECs or that would occupy lands selected by Doyon under ANCSA or surround or be adjacent to lands that already have been conveyed to Doyon. Such ACECs are unlikely to meet the regulatory criteria for designation of ACECs. Areas under consideration for designation of an ACEC that contain substantial areas of land that are in the process of conveyance or are high priority Doyon, Limited, and State-selected lands are unlikely to be retained in federal land status and therefore inappropriate for designation as ACECs. In addition, designation of such areas as ACECs could limit access to and use of Doyon lands, depriving Doyon of the ability to realize the economic and historic and cultural values of its lands and resources. Further, in the event that BLM proposes designation or continued designation of lands that surround or are adjacent to Doyon lands as ACECs, the RMP should not propose designation of those ACECs as right-of-way avoidance areas. Over the life of the plan, Doyon may require access across ACECs in order to use its lands. Under such circumstances, designation of ACECs that surround or are adjacent to Doyon-owned lands as right-of-way avoidance areas would be absolutely inappropriate. At best, such designation could make it more difficult for Doyon to obtain access to its lands. At worst, it would suggest an effort by BLM to shut-in Doyon lands and to prevent Doyon and its shareholders from enjoying the economic and cultural and historic value of Doyon's lands and resources.
10.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to

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	them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
11.	ANILCA The BSWI RMP planning area already includes numerous areas that have been specifically set aside for conservation purposes (including designated Wilderness.) The remaining BLM-managed lands in the area represent the only federal lands available for multiple use. Conservation system units (CSU) established by the Alaska National Interest Lands Conservation Act (ANILCA) within this planning area include the Unalakleet Wild River, the Andreafsky Wild River, the Iditarod National Historic Trail (NHT), the Innoko National Wildlife Refuge, the Yukon Delta National Wildlife Refuge, and a portion of the Lake Clark National Park and Preserve. BLM's Preparation Plan cites the need for preparing the BSWI RMP is to replace the 1981 Southwest Management Framework Plan (MFP), which is not in compliance with current planning regulations and policies. The National Landscape Conservation System (NLCS) is referenced as an example of "…requirements that did not exist when the MFP was prepared" (BSWI RMP Preparation Plan, page 7). While Public Law 111-11,123 Stat 991 (Mar.30,2009) which established the NLCS, was enacted after the Unalakleet Wild River and the Iditarod NHT were designated as CSUs under ANILCA, section 2002(d)(1) of the NLCS legislation includes an important caveat. "(1) In General. --Nothing in this subtitle enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including – (A) ANILCA…" As such, we request the RMP clarify that nothing in the NLCS legislation amends direction in ANILCA for individual units within the system. We also request the RMP explicitly recognize and take into consideration those provisions of ANILCA that apply to the planning area – both on BLM managed lands and lands managed by other federal agencies – to fully inform the public and land managers of applicable law and to ensure that proposed management actions are consistent with ANILCA.
12.	Wild and Scenic River Studies The State maintains its long held opposition to Wild and Scenic River (WSR) Studies in Alaska. ANILCA added twenty-six rivers in Alaska to the Wild and Scenic River System and mandated twelve additional rivers be studied for potential designation. The reports required in Section 604 for rivers designated for study have long been completed. ANILCA Section 1326(b) states: "No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purpose shall be conducted unless authorized by this Act or further Act of Congress. [Emphasis added]" Wild and Scenic Rivers are defined by ANILCA as CSUs. Additionally, in response to the settlement agreement for American Rivers vs. Bruce Babbit, BLM policy was modified and includes language which mirrors ANILCA Section 1326(b): "Pursuant to section 1326(b)…no study shall be conducted for the single purpose of considering eligibility for wild and scenic river designation in Alaska." While BLM apparently does not consider studies which are incorporated into resource management plans to be single purpose studies, the purpose of the wild and scenic review for Bering Sea-Western Interior planning area is clearly stated in the Preparation Plan (page 12) as "Rivers that are found suitable for inclusion in the Wild and Scenic River System may be

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	recommended to Congress for designation." In Alaska, such studies are in direct conflict with ANILCA Section 1326(b). Pursuant to section 1326(b)…no study shall be conducted for the single purpose of considering eligibility for wild and scenic river designation in Alaska.
13.	Wild and Scenic River Studies While BLM apparently does not consider studies which are incorporated into resource management plans to be single purpose studies, the purpose of the wild and scenic review for Bering Sea-Western Interior planning area is clearly stated in the Preparation Plan (page 12) as "Rivers that are found suitable for inclusion in the Wild and Scenic River System may be recommended to Congress for designation." In Alaska, such studies are in direct conflict with ANILCA Section 1326(b). Furthermore, the intent of Congress in ANILCA was not to authorize an endless cycle of studies but to provide finality to the lengthy studies and deliberations that led to the passage of ANILCA. That intent is clearly stated in ANILCA Section 101(d): "This Act provides sufficient protection for the national interest in the scenic, natural, cultural and environmental values on the public lands in Alaska, and at the same time provides adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people; accordingly, the designation and disposition of the public lands in Alaska pursuant to this Act are found to represent a proper balance between the reservation of national conservation system units and those public lands necessary and appropriate for more intensive use and disposition, and thus Congress believes that the need for future legislation designating new conservation system units, new national conservation areas, or new national recreation areas, has been obviated thereby. [Emphasis added] " While maintaining the above objection, when considering river suitability, a study must consider the potential land ownership pattern following completion of State and Native land conveyances. Highly fragmented land ownership does not lend itself to Wild and Scenic river corridor management. In addition, the provisions in ANILCA that apply to CSUs would apply to any new rivers designated by Congress, such as allowing motorized access pursuant to Section 1110(a) and (b) and the Title XI Transportation and Utility System (TUS) process. Any interim management prescriptions applied to rivers identified as suitable for recommendation to protect outstandingly remarkable values cannot be more restrictive than the provisions that would apply to congressionally designated Wild and Scenic rivers.
14.	ACCESS and ANILCA Section 1110(a) Section 1110(a) also applies to CSUs within the planning area, including the Unalakleet Wild River and the BLM managed Iditarod National Historic Trail (NHT). Section 1110(a) allows for snowmachines, motorboats, airplanes, and nonmotorized surface transportation for traditional activities and travel to and from villages and homesites, subject to reasonable regulation. Implementing DOI regulations at 43 CFR 36.11 require a public hearing and rulemaking to implement closures, along with a finding that the use would be detrimental to the resource values of the area. To fully inform the public, we request the plan clearly describe these access provisions, including where they apply on the ground. In addition, should the plan propose restrictions or closures, we request they be clearly described along with appropriate justification. The guidance in the BLM Alaska Long Range Transportation Plan (LRTP) to exclude primitive roads and motorized/mechanized trails from the BLM transportation system in areas where LWCs are protected would preclude maintaining transportation connectivity in the planning area. This exclusion from the BLM transportation system would prevent funding maintenance and improvements for the motorized/mechanized trails, and could have serious negative impacts on the transportation, economics, and social justice for this area. The RMP Environmental Impact Statement (EIS) should include a comprehensive trail inventory and fully evaluate these impacts. For example, the Iditarod NHT crosses BLM land within the planning area. As a CSU under ANILCA, motorized access is allowed pursuant to Section 1110, in addition to Section 811 which applies to all BLM land. The LRTP states "it is widely accepted that there are unknown miles of additional undocumented trails" (p. 11). The lack of a comprehensive trail inventory on BLM lands could result in unforeseen impacts from decisions to protect wilderness characteristics.
15.	ANILCA Title XI Process The ANILCA Title XI Transportation and Utility Systems process applies to CSUs within the planning area, including the Unalakleet Wild River and sections of the Iditarod NHT managed by BLM. RMP-level decisions, such as right-of-way exclusion and avoidance corridors

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	would not preclude the implementation of the TUS process should a project be proposed within these boundaries.
16.	Special Designations We request that any actions taken to designate special management areas be coordinated with the State at all stages. This is of particular importance if proposed restrictions, such as seasonal closures or limits on visitor use days, affect State lands, waters, or authorities or if deviations from State land use plans are considered. Any area and/or corridor system designated for any special purpose should be selected with a high level of public support. Because special management area designations have the potential to impose additional limitations or management strategies on public lands, these designated areas should be delineated judiciously in order to balance public use with the protection of public resources. Proposed additions should be for the same purposes, with special attention paid to both relevance and importance per 43 CFR 1610.7-2. We request that proposed designations, and or additions, focus on the exact amount of land necessary to ensure the appropriate management status for specific resource management issues, and encompass the smallest area required for the underlying purpose of the designation. Special areas should be open to other resource users to the extent practicable and compatible with the give designation. If past BLM plans provide a guide, we understand potential limitations within areas of special designation may be further defined in subsequent "step-down" management plans. If limitations are proposed on BLM lands through the RMP process, we request that the plan include a thorough analysis of the use and associated issues and concerns. If subsequent planning or inventory activities are needed to support the proposed limitations, we recommend including an associated timeframe for completion of the additional work.
17.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
18.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
19.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River

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	Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
20.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
21.	Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'
22.	National Wild and Scenic Rivers The current management of the Unalakleet Wild and Scenic River in the planning area is consistent with the original intention of the designation and goals of the National Wild and Scenic Rivers Act. According to the management plan the Unalakleet River was designated as a component of the National Wild and Scenic Rivers System through the ANILCA, by which Congress intended that it be preserved in a free flowing condition, and that the river and its immediate environment be protected for the benefit and enjoyment of the present and future generations. The most important resource stated in the Unalakleet National Wild River Management Plan is the salmon fishery with runs exceeding 100,000 fish. The

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	fishery contains chinook, coho, chum and pink salmon all of which use the river and its tributaries as spawning grounds and supply the subsistence, commercial and sport fisheries. Arctic grayling and arctic char are also plentiful. Wildlife is abundant area with moose in the river valley as a wintering ground, and the brown bears and black bears feed on spawning salmon in the summer. Waterfowl and other birds use the area as a nesting ground and plentiful in the ice free season (Unalakleet National Wild River Management Plan, 1983). Unalakleet River Future Management/Impacts The Unalakleet Wild River needs to be managed so support the wild fisheries. Further, the tributaries not designated under the Wild and Scenic River listing also need to be managed to protect the salmon and varying fish species spawning and essential habitat areas.
23.	Recommendations for Wild and Scenic River Status The rivers listed below need to be considered for Wild and Scenic River status. All of these rivers support important fish species, are free flowing, and that the rivers and their immediate environments must be protected for the benefit and enjoyment of the present and future generations. It is very important during the evaluation process that BLM work closely with local communities to explain what a Wild and Scenic River designation means for protection and how it does not inhibit the ability of local people to participate in subsistence, and traditional and customary practices. The Yukon River and the tributaries within the Yukon River watershed are extremely important for wild fisheries, recreation, subsistence, traditional and customary use. Recommendation: Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible.
24.	Wild and Scenic River Goals Goal 1: Conduct and/or continue reclamation activities of historic and current damages from development and mining. Goal 2: Prevention of damages to WSRs by prohibiting stream diversion and enforcing reclamation standards for all existing mineral operations and future mineral. The cost of reclamation should not be passed on to tax payers, as it has been in the Nome clean up, but instead from those who disturbed the national and local resource – owners and operators of mining claims. Goal 3: In order to maintain the values for which the river was designated BLM must more strictly manage placer mining and water quality standards. Goal 4: Water quality standards for all proposed and currently designated WSR must be consistent with efforts to restore salmon populations on the Yukon River and its tributaries.
25.	Visual Resource Management Visual Resource Management (VRM) classes need to be established and correlated with the recreation management objectives and setting prescriptions that have been set… (BLM Land Use Handbook 1601-1, Appendix C) VRM Class I is the appropriate designation for Wild and Scenic Rivers. All corridors should be managed for Class I. When determining the VRM for the more remote areas in the planning area, the BLM must work closely with local communities to maintain objectives and goals for potential special designations and subsistence resource protection.
26.	Recreation Management Goals Visual Resource Management Goals Goal 1: Maintain VRM class I and II within the primitive recreation areas and the Wild and Scenic River corridors.
27.	THE LEGAL FRAMEWORK FOR PLANNING The Alaska National Interest Lands Conservation Act (ANILCA) provides some direction on how BLM must

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	undertake the planning process, especially regarding subsistence and Wild and Scenic Rivers. Alaska National Interest Lands Conservation Act Section 810 recognizes that subsistence uses are a critical public interest and provides a framework to consider and protect subsistence uses in BLM's decision making process. Section 810 does not "prohibit all federal land use actions which would adversely affect subsistence resources but sets forth a procedure through which such effects must be considered and provides that actions which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized." 1 (Emphasis added.) Accordingly, Section 810 of ANILCA, 16 U.S.C. § 3120, imposes a two-tiered process to evaluate a project's impacts on subsistence uses. First, BLM must evaluate the effect of its land management action on "subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes." 16 U.S.C. § 3120(a). If BLM determines that the activity will not "significantly restrict subsistence uses," id., then BLM would issue a Finding of No Significant Restriction, and the requirements of Section 810 are satisfied. However, if BLM makes the initial determination that the action would "significantly restrict subsistence uses," the BLM must then determine whether any restriction on subsistence is necessary, involves the minimal amount of public lands necessary to accomplish the purpose of the use, occupancy or disposition of public lands, and takes steps to minimize the adverse impacts to subsistence uses and resources. 16 U.S.C. § 3120(a)(1)–(3).
28.	THE LEGAL FRAMEWORK FOR PLANNING The National Wild and Scenic Rivers Act as Amended by ANILCA (WSRA) imposes constraints on BLM's management of designated rivers. Congress enacted the WSRA in 1968 to identify and protect certain rivers "which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. The WSRA establishes that its component rivers "shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations." 2The WSRA protects designated Wild and Scenic River System (WSRS) segments and surrounding areas by implementing certain conservation measures. 3 restricting construction of water resources projects, such as dams, water conduits, and reservoirs, 4restricting sale of public lands,5providing regulatory authority over new mining and mineral leasing claims. It also sets forth a framework for ongoing management of designated WSRS areas. BLM must manage each WSRS segment "in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values." 6 "[P]rimary emphasis" is to be given to "protecting . . . esthetic, scenic, historic, archaeologic, and scientific features."
29.	Layering Special Administrative Designations Nothing prevents the BLM from overlapping administrative designations, such as WSAs and ACECs or Special Recreation Management Areas (SRMAs) and Wild and Scenic River segments. For example, BLM's Jarbidge RMP (and subsequent amendments) in southern Idaho designated the Bruneau/Jarbidge River ACEC and the Salmon Falls Creek ACEC, which overlap the Bruneau River-Sheep Creek WSA, Jarbidge River WSA, and Lower Salmon Falls Creek WSA, and includes the Salmon Falls Creek, deemed eligible for inclusion in the National Wild and Scenic Rivers System. See BLM, Jarbidge Field Office, Idaho, Analysis of the Management Situation for the Jarbidge Resource Management Plan: Resource Management Plan/Environmental Impact Statement at 212-216 and Figure 39 (Locations of Current ACECs) (July 2007), available at http://www.blm.gov/pgdata/etc/medialib/blm/id/plans/jarbidge_rmp/documents/analysis_of_the_management.Par.59385.File.dat/part13.pdf, Figure 40: Wilderness Study Areas, available at http://www.blm.gov/pgdata/etc/medialib/blm/id/plans/jarbidge_rmp/documents/analysis_of_the_management.Par.18048.File.dat/part14.pdf .

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	These overlapping administrative designations ensure that BLM protects both the relevant and important values associated with the ACECs and the wilderness character of the WSAs, both through current management and in the event WSAs are released during the life of the plan. In certain situations, overlapping administrative designations are needed to fully protect the resources, for example Integrated Master Plan management of Wilderness Study Areas might differ greatly from the special management attention envisioned for the relevant and important values of a particular ACEC or in the event of congressional WSA release.
30.	WILD AND SCENIC RIVERS & RESEARCH NATURAL AREAS BLM must undertake wild and scenic rivers eligibility and suitability studies as part of the Bering Sea Western Interior plan. The Wild and Scenic Rivers Act requires agencies to address potential wild and scenic rivers in all planning efforts (16 U.S.C. § 1276(d)(1)). Rivers deemed eligible for inclusion in the Wild and Scenic Rivers System must be managed to protect their values until the suitability determination is made, and suitable rivers must be managed so as to protect their qualities until Congress has an opportunity to designate the river as part of the System. Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible. Protective Measures Must Be Specific Protective management prescriptions and requirements—specific to a river segments' values that prompt findings of wild and scenic eligibility and suitability—must be included in the final RMP and consequently must be carefully analyzed in preparation of the draft plan. Consideration of other management prescriptions or administrative designations that could, by coincidence, help protect features that contribute to the segments' eligibility and suitability are helpful (wilderness study areas, areas of critical environmental concern, visual resource management classes, mineral withdrawals, etc.). Those coincidental protections and administrative designations must, in the final RMP and in its implementation, specifically supplement wild and scenic river purposes, or similar measures must be provided in the final plan exclusively for wild and scenic river purposes. Similarly, the BLM can protect river values through other special administrative management designations. Such administrative designations should supplement, and not replace, complete consideration of wild and scenic river values or complete protection under the terms of the Wild and Scenic Rivers Act and its provisions for study and for interim protection.
31.	WILD AND SCENIC RIVERS & RESEARCH NATURAL AREAS Apply Available Protections to Eligible and/or Suitable River Segments Whatever the ultimate collection of stream segments found to be suitable for designation, BLM should consider the following management options for protecting each segment and apply those that are necessary for adequate protection: • Withdrawn from mineral entry; • Visual Resource Management Class I or Class II areas; • Right-of-way exclusion areas; • Subject to remedial actions to ensure sensitive species habitat is maintained or enhanced; • Subject to extensive and reliable no-surface-occupancy stipulations for all activities; • With related ACECs closed to oil and gas exploration and development; and • other appropriate measures. Considerations for Eligibility Determination

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	The criteria for eligibility evaluation are clear. BLM Manual 8351, Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation, and Management, Section .31A states: Wild and Scenic River, Basis for Determination To be eligible, a river segment must be "free-flowing" and must possess at least one river-related value considered to be "outstandingly remarkable." No other factors are considered in determining the eligibility of a river segment. All other factors are considered in determining suitability." (emphasis added) Since more detailed management decisions about stream segments would be made later in the suitability determination phase, it makes sense to list as eligible all segments that have any variation of the primary eligibility criteria, including even one outstandingly remarkable value. When in doubt, include them as eligible. Further, the BLM must disclose the scope of the outstandingly remarkable values (ORV) inventory process used in the draft eligibility report, and the BLM must extend that analysis to include all stream-related ORVs and study corridors wide enough to incorporate those ORVs. We note that some past wild and scenic studies have relied too heavily and arbitrarily on a one-quarter-mile "buffer" around identified segments in its initial identification of ORVs. BLM guidance is clear that such a "buffer" is not the appropriate measure for an ORV's association with a river. For example, ORVs can "owe their location or existence to the presence of the river" (IM 04-196), a standard on which it would be arbitrary for BLM to place a numerical value. We are concerned that if BLM uses this arbitrary buffer, the agency will overlook significant ORVs that are tied to a segment.
32.	Wild and Scenic River, Basis for Determination Geologic and scenic ORVs, as examples, could easily extend or originate from distances greater than one-quarter-mile from a segment. Important cultural and historic values that are directly tied to segments used as water sources and migration routes for historic human populations are likely to exist variable distances from a segment yet "owe their location or existence to the presence of the river." Id. With vast amount of BLM land in the Bering Sea Western Interior having never undergone formal cultural survey, it is important that BLM employ generous and inclusive boundaries in their inventory. Recommendation: The Bering Sea Western Interior plan must carefully study all potentially eligible wild and scenic stream or river segments, adopt requirements to ensure eligible and suitable rivers are protected pending decisions on their designation, and ensure that any designated rivers and river corridors are managed to preserve their values.
33.	Well-defined Standards for Wildlife Because subsistence resources are the primary food commodity for communities in the region, great care is required in planning actions that might affect these resources. Providing functioning habitat for wildlife and ensuring the long-term viability of wildlife populations are part of the BLM's responsibilities to manage the public lands for multiple use and sustained yield. FLPMA specifically directs that management of public lands "takes into account the long-term needs of future generations" for wildlife, as well as other resources, and is implemented toward "achievement and maintenance in perpetuity" 43 U.S.C. §§ 1712(c)(1); 1702(c) and (h). Achieving these goals for wildlife can best be realized by establishing well-defined, measurable standards. The use of well-articulated concepts and operational planning practices associated with the literature and practice of population viability assessment will provide land managers with effective and efficient means of applying science-based conservation methods to land planning decisions effecting wildlife and subsistence resources. Science-based Analytical Tools In order to adopt a legitimate, efficient and effective science-based planning framework for wildlife and subsistence resources, the Anchorage Field

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	Office should look to the well-established conservation planning and population viability assessment literature, as well as models employed by other BLM units and neighboring agencies. 16 For example, some national forests monitor populations of "management indicator species" to measure the effects of management activities on unmeasured species and to provide insights into the integrity of the ecological systems to which they belong. The use of an indicator or focal species approach, in combination with robust knowledge of the link between species and habitats, allows managers an effective means to apply science-based principles to resource management decisions. Indeed, to meet the challenges of 21st century land management and conservation, agencies will need to cooperate on vital management planning activities, including the sharing and co-generation of biological information. BLM has also been working on a new National Monitoring Strategy, which has led to monitoring protocols that, if executed properly, hold great promise to define ecological baseline data and determine status for many sensitive species. The BLM's flagship monitoring program for the new National Monitoring Strategy is detailed in Kotliar et al. 2008, where it is applied to create a regional approach to wildlife monitoring in oil and gas development areas in Colorado. This framework is flexible, and could be adapted to the range of species found in the Bering Sea Western Interior area. The basic approach detailed in Kotliar et al. 2008 should be used as a framework to organize and focus field surveys and modeling that will feed into a cohesive monitoring system for the Bering Sea Western Interior plan and projects sited on these lands. These analyses can create a sound baseline of data and the synergy to assess status and trend across landscapes for focal species.
34.	Public Land Orders & Mining Recommendation: We recommend modification of Public Land Order 5180 to disallow metalliferous mineral entry for all lands currently governed by thereunder, paralleling the protections provided by PLO 5184. Further, the RMP should take a precautionary approach, and provide PLO 5184 protections for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development; • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, and SRMAs ; • Lands within ½ mile of anadromous rivers and streams; • Primary fish spawning habitat; • Community drinking water aquifers; and • All lands subject to PLO 5180.
35.	Planning Question: Are there lands currently open to mineral entry and/or leasing that should be closed? S. Minerals: Land Status Which areas within the Planning Area should be closed to entry under the federal mining laws? Representatives of the mining, oil, and gas industries, and BLM staff, have indicated that there is little commercial interest in the leasable and locatable mineral potential of most unencumbered BLM lands. It is widely accepted that the State of Alaska and Native Corporations already have selected most of the Federal land with leasable and locatable mineral potential. These interests consider unencumbered BLM lands to be of only marginal mineral value. Thus, we are concerned about the environmental impacts of mining activities on these lands, considering that the financial viability of such activities appears to be questionable. Recommendation: Areas that should remain, or be withdrawn, from mineral entry include: • All portions of designated and/or eligible Wild and Scenic River corridors should be closed to leasing, exploration, and development • All lands within proposed Research Natural Areas, Areas of Critical Environmental Concern (ACECs), Wilderness Study Areas, Lands with

Appendix B Table 22 Issue 22 Wild and Scenic Rivers	
	Wilderness Characteristics (LWCs) and SRMAs. • Lands within 400 feet of anadromous rivers and streams • VRM Classes I and II throughout the entire planning area • Primary fish spawning habitat • Community drinking water aquifers
36.	Land Designations within the Environmental Impact Statement (EIS) The RMP and any accompanying or proposed EIS should consider the cumulative impact on the state's economy and public access to federal, state and ANCSA lands that results from special land designations such as Wild and Scenic Rivers, Wilderness recommendations, special management for lands with "wilderness characteristics," Areas of Critical Environmental Concern, and Research Natural Areas recommended in this plan; combined with the impacts of similar designations contained in other recently adopted BLM Resource Management Plans.
37.	Much of the area has wilderness like qualities and is unexplored Much of the areas within the RMP have wilderness like qualities, and should not require designation to retain such qualities. RDC is opposed to the BLM listing lands as Areas of Critical Environmental Concern, designating additional Wild and Scenic Rivers, and no areas should be considered for Wilderness designation. Federal acreage dedicated to Conservation System Units in Alaska is nearly 148 million acres, accounting for 70 percent of all national park lands in the U.S., 80 percent of wildlife refuge acreage, and 53 percent of federally-designated Wilderness, at 58 million acres. The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) was the final word on additional conservation units for Alaska. The RMP should explicitly acknowledge the unique compromises of ANILCA, which include identification of sufficient conservation lands. Furthermore, the area included in the RMP should be further evaluated for mineral potential before restrictive land designations are implemented. Sufficient mapping and geological information should be acquired, and until then, the area should be left open to all uses.

8.2.23 Issue 23: National Trails

Appendix B Table 23 Issue 23 National Trails	
1.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
2.	I encouraged & helped Joe Redington Sr to start the Iditarod Race and throughout the years I've observed trash & straw along the trail to Kaltag-also to Shaktoolik. When I was checker for Unk I made sure they allowed me to purchase gas to run to Old Woman and made sure that it was clean- many years I came back to Unk w/ sled load of trash. Lath throughout the trail can be seen on land and the ocean beaches. I told them before if they couldn't pick up then I would consider rerouting the trail. At least two locals should be hired to maintain and keep the trails in good clean standards.
3.	2. Trespass issues on Native Allotments relative to Iditarod trail and designated public easements on corporation lands signage needs to be established on verified public easement.
4.	How would cultural resources be impacted? How would the Iditarod National historic Trail be impacted by the pipeline to the proposed Donlin Gold project?
5.	Could you clarify the quantity of conservation system units (CSUs) that BLM manages? A gentleman made a guess that 60% of federal lands are CSUs. I think CSUs are about 50% of federal lands and BLM manages 30% of those. Can anybody clarify?
6.	Trapping • East of HC, we use the old mail trail to Flat and we go up the Innoko River. • We trap toward the Iditarod trail (southern route). • West of HC, we make a big, clockwise circle – follow the Yukon River to the South and East (along BLM lands), then up the Stuyahok River (BLM lands), and following BLM lands make a big circle up and around back to Holy Cross
7.	Iditarod Trail use is occurring across native allotments and some allottees don't want the events that occur on the trail to cross their allotments.
8.	Requested that the BLM install BLM easement signs on the approved easements along the Iditarod Trail.
9.	The Iditarod Trail needs accurate trail marking to prevent trespass on Corporation-owned land, the current marking is inadequate.
10.	Need more law enforcement on the trail during the sled dog race
11.	Interest was expressed in developing a new safety shelter cabin along the Iditarod trail between McGrath and Nikolai, though there is no BLM land in the suggested area.
12.	The old trail to Flat goes from McGrath up the Takotna River and down the George River toward Flat. Right now, the trail is not used much even though a cat has been driven on it. If more mining is developed in the future in Flat, that trail would become more important again and it crosses BLM land in places.
13.	ANILCA The BSWI RMP planning area already includes numerous areas that have been specifically set aside for conservation purposes (including designated Wilderness.) The remaining BLM-managed lands in the area represent the only federal lands available for multiple use. Conservation system units (CSU) established by the Alaska National Interest Lands Conservation Act (ANILCA) within this planning area include the Unalakleet Wild River, the

Appendix B Table 23 Issue 23 National Trails	
	Andreafsky Wild River, the Iditarod National Historic Trail (NHT), the Innoko National Wildlife Refuge, the Yukon Delta National Wildlife Refuge, and a portion of the Lake Clark National Park and Preserve. BLM's Preparation Plan cites the need for preparing the BSWI RMP is to replace the 1981 Southwest Management Framework Plan (MFP), which is not in compliance with current planning regulations and policies. The National Landscape Conservation System (NLCS) is referenced as an example of "…requirements that did not exist when the MFP was prepared" (BSWI RMP Preparation Plan, page 7). While Public Law 111-11,123 Stat 991 (Mar.30,2009) which established the NLCS, was enacted after the Unalakleet Wild River and the Iditarod NHT were designated as CSUs under ANILCA, section 2002(d)(1) of the NLCS legislation includes an important caveat. "(1) In General. --Nothing in this subtitle enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including – (A) ANILCA…" As such, we request the RMP clarify that nothing in the NLCS legislation amends direction in ANILCA for individual units within the system. We also request the RMP explicitly recognize and take into consideration those provisions of ANILCA that apply to the planning area – both on BLM managed lands and lands managed by other federal agencies – to fully inform the public and land managers of applicable law and to ensure that proposed management actions are consistent with ANILCA.
14.	ACCESS and ANILCA Section 1110(a) Section 1110(a) also applies to CSUs within the planning area, including the Unalakleet Wild River and the BLM managed Iditarod National Historic Trail (NHT). Section 1110(a) allows for snowmachines, motorboats, airplanes, and nonmotorized surface transportation for traditional activities and travel to and from villages and homesites, subject to reasonable regulation. Implementing DOI regulations at 43 CFR 36.11 require a public hearing and rulemaking to implement closures, along with a finding that the use would be detrimental to the resource values of the area. To fully inform the public, we request the plan clearly describe these access provisions, including where they apply on the ground. In addition, should the plan propose restrictions or closures, we request they be clearly described along with appropriate justification. The guidance in the BLM Alaska Long Range Transportation Plan (LRTP) to exclude primitive roads and motorized/mechanized trails from the BLM transportation system in areas where LWCs are protected would preclude maintaining transportation connectivity in the planning area. This exclusion from the BLM transportation system would prevent funding maintenance and improvements for the motorized/mechanized trails, and could have serious negative impacts on the transportation, economics, and social justice for this area. The RMP Environmental Impact Statement (EIS) should include a comprehensive trail inventory and fully evaluate these impacts. For example, the Iditarod NHT crosses BLM land within the planning area. As a CSU under ANILCA, motorized access is allowed pursuant to Section 1110, in addition to Section 811 which applies to all BLM land. The LRTP states "it is widely accepted that there are unknown miles of additional undocumented trails" (p. 11). The lack of a comprehensive trail inventory on BLM lands could result in unforeseen impacts from decisions to protect wilderness characteristics.
15.	ANILCA Title XI Process The ANILCA Title XI Transportation and Utility Systems process applies to CSUs within the planning area, including the Unalakleet Wild River and sections of the Iditarod NHT managed by BLM. RMP-level decisions, such as right-of-way exclusion and avoidance corridors would not preclude the implementation of the TUS process should a project be proposed within these boundaries.
16.	Access & Travel Management Public access has and will continue to be an issue of concern for the State. All current easements and potential points and routes of access are important for the opportunity to access public lands and resources beyond areas of current transportation corridors and should be reserved and developed where possible and to the maximum extent practicable. In particular, we would like to see inclusion of the following route types in the BSWI RMP analysis, future maps and documentation: • Iditarod Race Trail • Iditarod National Historic Trail(s)

Appendix B Table 23 Issue 23 National Trails	
	• Iron Dog • Secondary Roads • Winter Trails • RS 2477 • 17(b) easements
17.	Special Designations We request that any actions taken to designate special management areas be coordinated with the State at all stages. This is of particular importance if proposed restrictions, such as seasonal closures or limits on visitor use days, affect State lands, waters, or authorities or if deviations from State land use plans are considered. Any area and/or corridor system designated for any special purpose should be selected with a high level of public support. Because special management area designations have the potential to impose additional limitations or management strategies on public lands, these designated areas should be delineated judiciously in order to balance public use with the protection of public resources. Proposed additions should be for the same purposes, with special attention paid to both relevance and importance per 43 CFR 1610.7-2. We request that proposed designations, and or additions, focus on the exact amount of land necessary to ensure the appropriate management status for specific resource management issues, and encompass the smallest area required for the underlying purpose of the designation. Special areas should be open to other resource users to the extent practicable and compatible with the give designation. If past BLM plans provide a guide, we understand potential limitations within areas of special designation may be further defined in subsequent "step-down" management plans. If limitations are proposed on BLM lands through the RMP process, we request that the plan include a thorough analysis of the use and associated issues and concerns. If subsequent planning or inventory activities are needed to support the proposed limitations, we recommend including an associated timeframe for completion of the additional work.
18.	We travel the Iditarod Trail(s) to go all the way to Rohn from McGrath for fun. The conditions determine whether we take the race route or portions of the historic route.
19.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
20.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance

Appendix B Table 23 Issue 23 National Trails	
	between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
21.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
22.	Recreation Management Goals Special/Extensive Recreation Management Goals Goal 1: Iditarod National Historic Trail Continue to manage uses of the Historic Trail fall within the guidelines of the current Comprehensive Management Plan. Goal 2: Clear disclosure of visitor health and safety, user conflicts, and resource protection issues. Goal 3: Clearly identify management, monitoring and administrative report actions.
23.	Conclusion Our organizations respectfully recommend strong protections for designated areas, critical habitats, and important resource values. Prioritizing and protecting the sensitive areas will help preserve the character and biodiversity of the Bering Sea Western Interior planning area and still allow for development in suitable areas. As visitors and representatives of residents, recreational enthusiasts, and the concerned public we have a vested interest in maintaining the Kuskokwim River, Yukon River, Iditarod Trail and Unalakleet Wild and Scenic River along with the other special areas and nominated special areas and surrounding lands in their present state and status for future generations. We look forward to working with BLM to create the best management for these areas.

8.2.24 Issue 24: Interpretation and Environmental Education

8.2.25 Issue 25: Subsistence

Appendix B Table 25 Issue 25 Subsistence	
1.	Opening of moose hunting to Sept 15th.
2.	The Bering Sea Western Interior [BSWI] Resource Management (RMP) is important to myself and all the indigenous peoples and residents who live in the region and utilize all of the natural renewable resources that live and thrive in this region. These resources include sea mammals, land mammals and all animals, plus vegetation and marine, riverine and lake dwelling fishes and water dependent life. My ancestors, who trace their roots to the time the Creator of all Universe placed our first people here to live, thrive and utilize all that he placed here for his people--this is the wisdom and cultural values we base our life here. We are to care for and utilize all that the land, sea and air provides for us and to wisely harvest so that all resources are sustainable. This is the heart of our subsistence use of this specific region that is under the care of BLM. In 1951 the Native Village Council responded to the Presidential Executive Order to file a claim for lands used by the native peoples under the Indian Claims Commission. The NVU timely filed a traditional use and occupancy for 9 million acres of land encompassing the native villages of Koyuk, Shaktoolik, Unalakleet, St. Michael and Stebbins, Alaska which includes land, air space and (45) forty-five miles out to sea. This 9 million acres is necessary to allow the five (5) tribes to harvest for needs to feed, clothe and sustain a culturally relevant life we share. Now in 2013 the need for a large area to sustain life in these villages is still relevant. Further with climate change these areas may need to be expanded. Also without clean air, clean water, eroding land, melting permafrost adds more challenge to the people and the resources. The 9 million acres above states goes from Koyuk, Alaska in the north to near Kaltag to the east and Pastolik to the south and Norton Sound to the west.
3.	Subsistence is the highest priority use for the land, sea, rivers and air. The subsistence economy as defined by local aboriginal people is the only economy that is dependent on individual and group harvesting activities. All food and living natural resources that people use are generally migratory. Historic use by our people has been the use of land, water and air is one hundred mile radius from Unalakleet. Marine mammals, land animals, migratory birds are used for food. I recommend that Alaska Native Tribal members be exempt from licenses, permits and duck stamps for subsistence traditional harvests. Bag limits and seasons should be modified for Alaska Native Tribal members. Each tribe should be able to harvest enough food for the winter. Weather is a determining factor in the preservation of food. Our people need to have clean water in the rivers, streams lakes and ocean. We are dependent on fish, birds, and other animals; these resources need clean water land & air.
4.	Many regions of our State have concerns about changes to our lands and waters. I am concerned about what this would do to our traditional ways of life; our migratory routes that we depend upon for feeding our families. Although some of these maps are a thousand miles away from where I live currently, our animals migrate through these areas and it's going to be affecting them. The health and well-being of our Tribal people who will be staying in these areas, surrounded by these changes, will be affected by these changes. It's going to affect whether any efforts to get these minerals. Our animals will be affected by these changes. Any changes to the quality of our air and water will affect our animals. When you take out the minerals, it will put chemicals into our animals which will go into our bodies, our breasts, into our kidneys, into our livers, in to our future generations. That's the most important part about what's going on here today. It's not about putting boxes on a map, it's changing the way that we live in our lands and waters and the animals that we depend upon to feed our families. Some of these other areas have other resources to consider, but some communities don't have a lot of [subsistence] resources so it takes a lot of money to get food from other areas to our areas. You can see from the Yukon how it has been devastated by poor planning efforts and poor management efforts. These concerns are increasing in quantification the further you go from our

Appendix B Table 25 Issue 25 Subsistence	
	centralized areas of population into the rural areas. It is impacting our way of life; it is very concerning. We have resolutions throughout the state that support some of the Western Arctic Caribou Herd [working group] recommendations. We have resolutions to protect our Arctic Ocean. We have about 20 so far and we've only been working on it a few months. But the biological diversity of our ocean and the migratory routes of our foods are really important for the health and well-being for future generations. It is the cumulative effects of these types of efforts to change the lands and waters that are causing the most concentrated impacts.
5.	Trail between Holy Cross and Aniak – to Paimute Slough (on Fish and Wildlife Service land) travel on BLM land to get to Paimute Slough to hunt north towards Holy Cross (ptarmigan, moose, bear) and to go fishing (Pike). Trail from Aniak to Holy Cross used by both snowmachines and ATVs almost year-round.
6.	Oskowalik River - important for all the same reasons, moose hunting in the fall
7.	Pike Lake - important for lake fishing (pike), some float plane access, berry picking, spring and fall waterfowl, moose hunting, ptarmigan hunting
8.	BLM lands south of Aniak – important for trapping and Mulchatna Caribou Herd
9.	Keep withdrawals closed (to mining), benefits moose and habitat for other animals
10.	Pike fishing is important at Pike Lake -
11.	Winter Moose Hunts - cannot hunt within 1/2mile of Yukon River according to Subsistence Regulations. Makes getting a moose more difficult.
12.	easy access to black bear, too many black bear
13.	Kilbuck Mountains - Kilbuck herd converging with Mulchatna herd
14.	Beaver populations have spiked, get into subsistence nets
15.	Tribal members living in cities are denied subsistence permits
16.	BLM lands south of Aniak – important for trapping and Mulchatna Caribou Herd
17.	Will there be any changes in subsistence and tribal members' rights?
18.	Map Suggestion: missing a creek that flows north from the Kuskokwim between Upper Kalskag and Aniak onto BLM lands. This creek is used during high water years to access moose on BLM lands.
19.	Berry picking - folks travel as far as Napaimute (upriver) for berries
20.	BLM lands east of Bethel: important for moose, caribou, trapping wolves, lynx; important for trapping in general, not so important for waterfowl
21.	Lower Kusko villages are interested in water-fowl, berries, timber, fur-bearing animal trapping all available on BLM lands upriver
22.	Interest in watershed impacts to salmon spawning areas (e.g., potential consideration for ACEC)
23.	Smelt – Lower Kusko residents rely heavily upon the smelt that spawn all the way upriver toward and maybe past Kalskag, but never really too far beyond Kalskag. Nobody knows where the smelt go to spawn (Pike Lake) or, if they are river spawners?
24.	River traffic from Lower Kuskokwim villages is common very far upriver, above Bethel, for moose hunting
25.	Travel occurs by river from Bethel to McGrath to hunt moose as far up as McGrath. Kongiginak, Napaskiak folks boat upriver (September) in fall to McGrath
26.	BLM lands between Marshall and Russian Mission along the Yukon are important sources of firewood and moose
27.	To ensure access for subsistence, subsistence users would like some federal intervention/engagement in predator control even though BLM doesn't

Appendix B Table 25 Issue 25 Subsistence	
	manage game.
28.	Industry vs. subsistence users
29.	BLM lands between Marshall and Russian Mission along the Yukon are important sources of firewood and moose
30.	Berry picking - Lower Kusko villages won't travel terribly far for berries (ample resources nearby)
31.	Up Aniak Slough to "Big Lake" for "egging" (collecting bird eggs)
32.	BLM land block east of Chuathbaluk – caribou there
33.	BLM land north of Crow Village: trapping is important (20-mile loop)
34.	BLM land across the river from Chuathbaluk/south and east of Chuathbaluk: wood gathering is VERY important there "100%" of Chuathbaluk gets wood in this area, dead standing swamp kill; trapping is also important in this area
35.	BLM land north of Chuathbaluk: Hunting + Berries important to Chuathbaluk
36.	Smelt spawning grounds unknown, they come up to Crow Village, not far beyond
37.	Pike Lake important for winter use
38.	Napaimute fishes up on Native-selected on the Hologuk (Ski Creek area)
39.	Primary subsistence resources = bear, moose, berries
40.	Muskox, moose, bears primary species
41.	Trapping: has doubled in the village in the last 5-10 years due to declining incomes, too much beaver now, trapped only for personal consumption/use, marten in river valleys, black marten more valuable than red; Chuathbaluk traps for income, Tommy Tom has trapped all the way from Crooked Creek to Flat, Oskowalik; via dog team mushing
42.	Concerned that the game will move upland in response to increased barge traffic/disturbance
43.	People travel far downriver to the Kuskokwim Delta to hunt waterfowl and trap muskrats.
44.	Buckstop Pass - Holitna Pass: caribou until 15 years ago, caribou used to come with 6-7 miles of Chuathbaluk
45.	Many reindeer herds/herders in the region before (Lisa found reindeer collar bell in her Crow Village garden)
46.	Reindeer herders just stopped herding them, domestic animals left to mingle in with wild herds
47.	Caribou used to travel the Holitna River-west towards Tuluksak, the Tikchik folks hunted there - "Kilbuck herd"
48.	BLM land block east of Chuathbaluk – caribou there
49.	Lime Village (Lime Hills) caribou have been back for several years
50.	Approx. 6-8 muskox in mountains behind Chuathbaluk
51.	Three-step Mountain (on Fish & Wildlife Service lands) has some caribou
52.	Ray Peterson did many local subsistence studies in the past for an agency
53.	Traditional use patterns are dynamic, not static. Plan needs to reflect this into the future because even though we may not hunt caribou or moose in an area now; if they migrate to a new area in the future – we will hunt there. The RMP needs to consider future movement of the animals and that we will follow where the animals go.

Appendix B Table 25 Issue 25 Subsistence	
54.	Many hunt alone (solo)
55.	Ray Peterson subsistence studies
56.	Elder Lucy (seasonal migrations in childhood): spring camp from Chuathbaluk to Kalskag via dog team, one portage. Spring camp for "Parky squirrels" (squirrels for making parkas) 300 squirrels needed for a parka. NYAC mine area hot springs, Crow Village people would go to NYAC Area for spring camp. Then move west to tundra for waterfowl and muskrat in summer – then move upriver with the Salmon to Aniak River for fall camp. Had rains in August.
57.	Historic travel direction for resource gathering: Crow Village/Chuathbaluk folks moved south, Aniak folks moved north.
58.	Chuathbaluk recommends to retain the W/Ds south of the river (these blocks are especially important for subsistence activities)
59.	Go berry picking downriver toward Bethel for salmonberries and blueberries.
60.	We use the Holitna River and Oskawalik
61.	Due to State Game Tier 2 regulations, we have to go onto Federal lands with Tier 2 permits to hunt our food.
62.	Unit 19A on BLM land is important to us.
63.	Transporters are flying people out to unit 19A for hunting and say they are "sharing expenses" with their passengers, not guiding. This creates more pressures on our subsistence resources.
64.	BLM land right behind Grayling: • It is important because it is our watershed, there is Native Corp. land and BLM land is the upper watershed. • We go berry picking on that land.
65.	BLM land west of Grayling: • Is important for trapping, mostly east of the Yukon River
66.	North & Northwest of Grayling • Is important for berry-picking. • Is important for future potential caribou hunting if the caribou ever migrate back this way (Western Arctic Caribou Herd).
67.	BLM land east of Grayling: • Is important for waterfowl hunting areas trapping.
68.	We don't really use the Chum that much, but they are very important to maintain if our other Salmon are depleted and we need it as a future resource.
69.	It would be better for our subsistence if there were a longer opening for fishing and a bigger net mesh size allowed.
70.	We wish that there was only our federal hunt in our area; no additional hunts or hunters.
71.	The guided hunters take our camps. Guided hunters only take large trophy animals that are important for breeding.
72.	We aren't that interested in getting meat from trophy hunters because they don't take good care of their meat and it usually hangs for too long.
73.	We would like to propose to get rid of the value of moose antlers by requiring they have to be cut in half to remove the trophy hunting that occurs here.
74.	We are very interested in seeing the bison reintroduction even though we would probably never be able to hunt the population, it would be important to our future generations who could hunt these animals for food.
75.	There has been a decline in the duck population. What effect does the pike or beaver have this decline? Could BLM propose a study to help understand the lower duck numbers?

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76.	We trap all over Flat, Innoko River, Innoko Wildlife Refuge (FWS land), Anvik River, and all along the Yukon River.
77.	The river is very important to the people of Anvik.
78.	There are some people outside of Anvik who may do some trapping or moose hunting near the Anvik River.
79.	Proposed AVCP road from Paimute Slough to Kalskag: the residents of Grayling are worried about the increase of guides taking game in an area that has already been stretched thin.
80.	We access BLM lands using "Owl slough" (across the river from HC)
81.	Owl Slough provides access to land farther away from the Yukon for moose hunting.
82.	There was confusion over allowable subsistence cabins and Outfitter-Guide cabins on BLM lands
83.	Ice fishing and Pike fishing lakes important to us: • Reindeer Lake (across the Yukon River; mostly Native Corp. land) on the trail to Shageluk. • Layman Lake on the trail to Shageluk. • Alberts Lake located near Layman's Lake. • Pike Lake (on BLM land, due north of Aniak, east/southeast of HC) • Stanchen Lake unsure of location
84.	Maintain the federal subsistence hunt for moose
85.	Historically, people from the Kuskokwim area have traditionally only hunted as far as Pike Lake area. More recently, they have expanded as far as Paimute Slough and closer to us competing for resources with us.
86.	People from the Bethel area have more employment opportunity and a better economy due to the size of Bethel, therefore; people from that area have more money to afford better equipment to reach lands much farther away. They compete for our resources here and we don't have the same opportunities to afford the type of equipment they have to travel as far. We can't get as far on the land or rivers as those folks, yet they come very far and compete for our resources. People used to respect hunting boundaries of other villages and it's not that way today.
87.	Trapping • East of HC, we use the old mail trail to Flat and we go up the Innoko River. • We trap toward the Iditarod trail (southern route). • West of HC, we make a big, clockwise circle – follow the Yukon River to the South and East (along BLM lands), then up the Stuyahok River (BLM lands), and following BLM lands make a big circle up and around back to Holy Cross
88.	BLM land to the north of the community is rarely utilized at present, with the exception of Pike Lake, but its future availability is important for future subsistence use as local competition increases, especially if the AVCP proposed Yukon-Kuskokwim road is constructed.
89.	Lakes located northeast of the village on BLM land referred to as "Pike Lake" are important late winter/early spring fishery to some in the community. Usually travel there in snowmachines
90.	Concern was expressed over locally harvested fish that, when dissected, had odd greenish and glowing colors. Community members expressed concern over possible contaminants related to the Fukushima Nuclear plan in Japan.
91.	Beaver trapping and range expansion: trappers farther west are seeing beavers where they didn't see them before

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92.	Proposed Road - concerns raised over the Association of Village Council Presidents (AVCP)-proposed road from Kalskag to the Yukon River Paimut Slough. Community members were told that only business traffic would use the road and it would be closed to other travel, though they are concerned that it will not be patrolled and that has the potential to increase local fishing and hunting pressure. The community members desire access to the road, if built, for subsistence purposes.
93.	BLM lands west of Russian Mission (RM) • Use the lands for: berry picking; wood cutting; trapping marten and beaver; hunting moose, bear, wolf; travel the trail to Marshall in the winter.
94.	Not supportive of mining on BLM lands close to RM as the toxicity can disorient the fish and the runoff from mining lands would reach the Yukon River.
95.	We use Mountain Creek for Pike fishing.
96.	We fish Pike Lake.
97.	Concern was expressed about beaver dams preventing fish from spawning
98.	Get some of our moose over in Paimute Slough, Unit 21e
99.	Trapping • Up Stuyahok Creek, up Mountain Creek, west of RM
100.	Caribou • We go way north across BLM land to Needle Mountain (on FWS land) for caribou. • There were caribou at Whitefish Lake as recently as 4 years ago. • We mostly go north
101.	We see Supercubs land in town with big moose racks tied to the plane and no meat to pass to the village. Those Supercubs go back and land on BLM lands behind RM.
102.	Moose • We go near Pike Lake • We go up the Anvik River • Up Mountain Creek
103.	Trail overland from RM – to Paimute Slough (FWS land); we get moose over there (unit 21E).
104.	We go there for: Pike fishing; duck and geese hunting; moose hunting; youth cultural camps in September; and for trapping.
105.	This area is important at the end of spring for waterfowl hunting
106.	The people of Holy Cross also use this area
107.	Can we apply to construct a shelter cabin up the headwaters of the North River (tributary of Unalakleet) where we go caribou hunting?
108.	Concerns expressed on behalf of Stebbins and St. Michaels residents who have even less economic opportunity than is available in Unalakleet, there are no jobs there and they really rely on BLM lands.
109.	We need clean water and clean air to support subsistence resources
110.	Subsistence residents are penalized by ocean-based commercial fish harvesting, especially by-catch.

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111.	The moose hunt starts August 15 and it's too warm, it should start later.
112.	Many depend upon moose to get through the winter for family and extended family. Sport and guided hunters fly-over and take moose and leave less for locals.
113.	We had a past, voluntary, 5-year moratorium on moose hunting
114.	Concerns expressed on behalf of Stebbins and St. Michaels residents who have even less than is available in Unalakleet, there are no jobs there and they really rely on BLM lands. Someone from outside had taken 5 moose in this area.
115.	Concerns expressed over Office of Subsistence Management / State decisions on subsistence harvests (moose).
116.	Increased climate/weather pressures impacting subsistence species and prices are always increasing for fuel, etc. – makes subsistence difficult
117.	Western Arctic Caribou Herd does not travel as far south as it used to, now we must travel to Granite Mountain and use snowmachines. We have to travel a greater distance and it is more expensive to hunt.
118.	Reindeer grazing opportunities are desired, very supportive of reindeer grazing. "Bring it on" "Reindeer are delicious" • Historic herding occurred up Egavik Creek, North River (trib of Unk), South River (trib of Unk), Chirosky River (trib of Unk), and Klikatereq area. • Egavik Creek area used to have a reindeer processing plant circa 1930's
119.	The most important resource in the Unalakleet River and all its tributaries/watershed is the fresh clean water because it supports all life forms. "It provides clean water and clean land" that support fish, berry, bear, and firewood resources.
120.	North River ACEC is valuable for caribou hunting that is reliable every year
121.	North River ACEC headwaters is very important for chinook salmon spawning
122.	Desire to protect Kingmetolik River area (due east of Shaktoolik) and the North River ACEC for future caribou herd migration
123.	Block of BLM land SE of McGrath • Important wintering area for caribou from the Alaska Range, portions of the Mulchatna herd. • People from both McGrath and Nikolai use a lot of this land for trapping. • There isn't much firewood on this land. • People from both McGrath and Nikolai go up the Salmon River and Bear Creek for Salmon in the summertime and traplines during the winter.
124.	Blocks of BLM land South of McGrath (all state-selected and native-selected) • Attendees wanted to know why these separate, random blocks of BLM land were located in these areas when it is mostly state and native corporation all around. • These blocks of BLM-managed land are close to Wiggins Lake and Wilson Slough, which are important for trapping, hunting, and fishing
125.	The George River is important to McGrath for Salmon fishing
126.	Pike fishing is really important subsistence species for our community
127.	Wiggins Lake and Wilson Slough is important for Pike fishing (South of town).
128.	Many of the whitefish species are very important for subsistence. • Locally, whitefish are important and they consist of the following species: sheefish; broad whitefish; round whitefish; humpback whitefish; least cisco; and Bering Cisco

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129.	The Big River is the primary spawning area for Sheefish, also known as inconnu, for the entire Kuskokwim. It is very important for the entire Kuskokwim River for the Sheefish population. Many studies have been done and ADF&G would have these studies. A large portion of the Big River is on BLM land.
130.	The South Fork of the Kuskokwim River is very important for cisco and sheefish
131.	Upstream of Nikolai is the only place that Bering cisco spawn for the entire Kuskokwim watershed
132.	We do a lot of trapping all over game management units 19D and 19C
133.	Any pipeline corridor will provide access to ATVs and increase our hunting pressure.
134.	Primary spawning area for sheefish in Kuskokwim is the Big River, need to identify & protect portion that is on BLM land bordering Big River. Identify & protect wildlife corridors esp. movement of caribou
135.	Subsistence campsites are shared by surrounding villages on all lands.
136.	Winter hunt ranges are largely diminished due to lack of snow and high cost.
137.	Berry picking occur all along the coast and up through the Eek Mountains.
138.	Traditional subsistence hunting and gathering land covers the head waters of Togiak, Goodnews Bay, Quinhagak, Eek, Kwethluk, Tuluksak, Aniak, Stoney River, and outlying coastal waters. It is within these same lands, we are told to respect traditional peoples customs and ways of knowing where all share the same vegetation with healing properties, and hot spring customarily used by elders to heal certain ailments now claimed by Faulkners near NYAC mine.
139.	Numerous rural residents reside along the Yukon and Kuskokwim Rivers and in the Delta. These rural residents are heavily dependent for their livelihood on the fish and game resources of the Rivers and their tributaries. The Rivers are vital transportation corridors in remote areas that have few other means of access. Many villages are located on river banks and are vulnerable to erosion. Impacts to the health and function of the Rivers can have potentially widespread effects downstream of any proposed activities. The RMP should address presence, utilization, and potential effects of proposed activities on subsistence resources along the Yukon and Kuskokwim Rivers and Delta.
140.	Wetlands associated with the corridor surrounding the Innoko River, west to the Yukon River from the southern border of the Innoko National Wildlife Refuge south to the Yukon-Kuskokwim Portage Lakes region (including Paimuit and Innoko sloughs), have been shown to be important staging habitat for migratory birds, especially for species of high subsistence value and harvest. Satellite telemetry studies involving cackling geese, greater white-fronted geese, tundra swan, sandhill crane, the Wrangel Island population of lesser snow geese, and the tule subspecies of greater white-fronted geese have all indicated stopover and staging use in this region during fall and/or spring migration periods. Spring locations have indicated periods of prolonged use (greater than a week) suggesting at least some birds may be using this as a final nutrient acquisition area prior to arrival on the nesting grounds. For this reason, we believe this area would qualify as an "Area of Critical Environmental Concern."
141.	The National Park Service (NPS) welcomes the opportunity to participate in the scoping process for the Resource Management Plan and Environmental Impact Statement (RMP/EIS) for the Bering Sea Western Interior planning area. It is our understanding that the RMP will provide overall guidance for land-use decision making on surface and subsurface lands administered by the Bureau of Land Management (BLM) in the planning area. Lake Clark National Park and Preserve is located within the planning area boundary. This conservation unit has nationally significant resources and values that should be considered during alternative development and impact analysis process. We recommend that land uses on lands adjacent to LACL be compatible with the nationally significant resources and values for which this conservation unit was established. LACL was established on December 2, 1980, by section 201(7)(a) of the Alaska National Interest Lands Conservation Act (ANILCA). The park and preserve are managed to protect the

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	watershed necessary for the perpetuation of the sockeye salmon fishery in Bristol Bay; to maintain unimpaired the scenic beauty and quality of portions of the Alaska Range and the Aleutian Range, including active volcanoes, glaciers, wild rivers, lakes, waterfalls, and alpine meadows in their natural state; and to protect habitat for and populations of fish and wildlife. Section 70l(b) of ANILCA established a Lake Clark wilderness mostly within the national park. The LACL General Management Plan was published in 1984 and is currently under revision. BLM administrated lands do not appear to border LACL in the planning area. However, where activities on BLM administered lands have the potential to impact LACL resources, we ask that the impact analysis for each alternative evaluate the potential effects on air quality, water quality, fish, wildlife, access, wilderness values and subsistence activities.
142.	The RMP 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 the traditional Native culture in the Planning Area and a primary source of nutrition for residents of remote rural villages. Resource management planning decisions that will be made in the course of developing the RMP could impose significant limitations on access and activities that could adversely impact these customary and traditional uses. BLM must carry out its obligations under ANCSA and Titles XIII and XI of ANILCA in developing and implementing the RMP to ensure that subsistence uses and access to subsistence resources are protected.
143.	Called to express deep concern over migratory bird species and 5 species of salmon that residents rely on for subsistence. Wants to ensure that the BSWI RMP reflects concerns over declining chinook runs and migratory birds. Shared that there is a need for the community to be educated about Land Use Plans and stressed the need for Traditional Ecological Knowledge to be part of BLM's decision-making.
144.	Many of our traplines are up the Anvik and Bonasila Rivers, especially at the headwaters.
145.	The Bonasila is important in the Spring for duck and geese hunting, in the winter for trapping and hunting, and in the Fall for berry-picking, moose hunting, and the Culture Camp we do with our children.
146.	Trespass cabins: The council was concerned about people building unpermitted trapping cabins. I responded that the BLM may need to document trespass cabin locations in order to address this issue.
147.	Access to subsistence resources: Asked how hunting will be addressed in the plan. would be to place limitations on recreationists as opposed to subsistence users where recreationists can use designated campsites while subsistence users are not limited to designated campsites, for example. Similar limitations could be placed on the number of days recreationists can stay at a campsite as compared to subsistence users.
148.	Guides and transporters conflict: asked if hunting guides and transporters need a permit to operate on BLM lands. His concern was that they “don’t see any more big moose around there. Last year there was only one big moose taken that was bigger than 60 inch spread. Everything else was small.” There is hunting pressure from guides who land airplanes on mountain tops and let hunters go down the Anvik River, the Swift River, and the Yellow River, and take only the moose antlers out to Holy Cross. He suggested that there are guides out of Bethel that hunt on BLM lands. The issue of law enforcement was highlighted. Chief Jerue suggested putting limits on guides and transporters. I informed the council that the adjacent Wildlife Refuge has limits on guides and transporters on FWS lands while BLM does not have the same guide concession system. However, BLM is currently studying options of having limits on guides and transporters on BLM lands. Holy Cross Guides have been bringing commercial clients up the Bonasila River where Anvik has traditionally hunted. Usually hunting areas are respected between communities.
149.	Health and Subsistence Impact Analysis If RMP activities will impact the communities or resources upon which the communities depend (e.g. subsistence resources), we recommend that a health impact assessment screening be conducted to determine if a full assessment of health impacts may need to be developed. We also recommend that the BLM contact the State of Alaska Health Impact Assessment Program for assistance in

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	determining if a formal HIA is warranted for this project. In addition, if subsistence information for the communities in the planning area is not current, we recommend that the BLM work closely with Subsistence Division within the Alaska Department of Fish and Game, as well as appropriate Native subsistence and co-management organizations, to determine what additional assessment may need to be undertaken to inform the RMP/Draft EIS.
150.	Coordination with Tribal Governments If activities under the RMP would affect any cultural or subsistence resources, then the Draft EIS should describe the process and outcome of government-to-government consultation between the BLM and affected tribal government(s), the issues that were raised, if any, and how those issues were addressed. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (November 6, 2000), was issued in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the U.S. government-to-government relationships with Indian tribes. We also recommend that the BLM work with tribal governments, individual tribal members and other residents to ascertain pertinent traditional knowledge concerning the planning area and resources within the area. We believe that traditional knowledge may be particularly helpful in understanding long-term ecological processes and sensitive resources.
151.	Applicable ANILCA provisions include but are not limited to: • Section 811(a) and (b) - ensures motorized subsistence access on all federal public lands, subject to reasonable regulation. • Section 1101-1107 - in recognition of Alaska's undeveloped transportation and utility network and need for future transportation and utility systems, establishes a consolidated application process, including decision-making criteria and right-of-way terms and conditions (implementing regulations at 43 CFR 36). • Section 1110(a) - provides for motorized and non-motorized access for traditional activities and for travel to and from villages and homesites, subject to reasonable regulation (implementing regulations at 43 CFR 36.11) • Section 1110(b) - establishes a right of access to inholdings within and effectively surrounded by CSUs "to assure adequate and feasible access for economic and other purposes." • Section 1111 - provides for temporary access to or across CSUs, WSAs and lands managed to maintain wilderness character, to State and private inholdings for the purposes of survey, geophysical, exploratory, or other temporary uses. • Section 1303 - provides direction regarding construction, use and occupancy of existing and new cabins and related structures. - Section 1306 - addresses the establishment of administrative sites and visitor facilities within or outside the boundaries of CSUs. • Section 1310 - provides for access to, and operation and maintenance of existing facilities, and the establishment, operation, and maintenance of new facilities in CSUs. • Section 1316 - provides for the continuance of existing uses and future establishment of temporary structures and facilities directly related to the taking of fish and wildlife on all public lands. • Section 1323(b) – provides for access to inholdings on general BLM managed lands. We request that whenever practical, BLM use direct quotes when referencing ANILCA provisions to ensure an accurate representation.
152.	ACCESS and ANILCA Section 811 of ANILCA provides for subsistence access on all federal public lands, including access by Off Highway Vehicles (OHVs) where traditionally employed, subject to reasonable regulation: "(a) The Secretary shall ensure that rural residents engaged in subsistence uses shall have reasonable access to subsistence resource on the public lands. (b) Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation

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	traditionally employed for such purposes by local residents, subject to reasonable regulation. [Emphasis added] " To date, BLM has not promulgated implementing regulations for ANILCA Section 811; however, the BLM Director's Protest Resolution Report for the Delta River SRMA Plan and East Alaska RMP Amendment stated, "BLM will continue to strive to be consistent with other Federal land management agencies in this regard." The U.S. Fish and Wildlife Service (FWS) and the National Park Service (NPS) Section 811 implementing regulations are at 50 CFR 36.12 and 36 CFR 13.460 respectively. Pursuant to both sets of regulations, subsistence access closures or restrictions (including such actions as size and weight limitations and off-trail limitations) may only be implemented when certain criteria have been met and notice and hearing requirements have been followed. While ANILCA Section 810 requires agencies to evaluate the impacts of proposed actions on subsistence resources and uses, including access, NPS and FWS regulations established a separate and distinct process for implementing access restrictions. Similar to BLM, the USDA Forest Service also does not have ANILCA Section 811 regulations. To resolve the inconsistency between the national 2005 Travel Management Rule and ANILCA, the Forest Service, in consultation with the State, developed regional policy guidance, which is consistent with the intent of ANILCA and other DOI agency ANILCA implementing regulations. To ensure the consistent implementation of ANILCA across Alaska's public lands, we request BLM develop similar regional guidance.
153.	ACCESS and ANILCA Section 1110(a) Section 1110(a) also applies to CSUs within the planning area, including the Unalakleet Wild River and the BLM managed Iditarod National Historic Trail (NHT). Section 1110(a) allows for snowmachines, motorboats, airplanes, and nonmotorized surface transportation for traditional activities and travel to and from villages and homesites, subject to reasonable regulation. Implementing DOI regulations at 43 CFR 36.11 require a public hearing and rulemaking to implement closures, along with a finding that the use would be detrimental to the resource values of the area. To fully inform the public, we request the plan clearly describe these access provisions, including where they apply on the ground. In addition, should the plan propose restrictions or closures, we request they be clearly described along with appropriate justification. The guidance in the BLM Alaska Long Range Transportation Plan (LRTP) to exclude primitive roads and motorized/mechanized trails from the BLM transportation system in areas where LWCs are protected would preclude maintaining transportation connectivity in the planning area. This exclusion from the BLM transportation system would prevent funding maintenance and improvements for the motorized/mechanized trails, and could have serious negative impacts on the transportation, economics, and social justice for this area. The RMP Environmental Impact Statement (EIS) should include a comprehensive trail inventory and fully evaluate these impacts. For example, the Iditarod NHT crosses BLM land within the planning area. As a CSU under ANILCA, motorized access is allowed pursuant to Section 1110, in addition to Section 811 which applies to all BLM land. The LRTP states "it is widely accepted that there are unknown miles of additional undocumented trails" (p. 11). The lack of a comprehensive trail inventory on BLM lands could result in unforeseen impacts from decisions to protect wilderness characteristics.
154.	Access & Travel Management Some of the public lands in the study area are utilized for OHV use. The State is concerned about protecting continued access to state-owned and state-selected lands and waters as well as federal public lands. However, we share BLM's interest in considering management options that reduce, prevent, or mitigate impacts from OHV use in sensitive areas such as wetlands, stream crossings, and important wildlife habitat. We encourage BLM to work with the State to determine traditional routes of access and protect sensitive areas. We support BLM in an effort to take a similar approach to the management of OHVs consistent with the State's Generally Allowed Uses and 11 AAC 96.025(2). Please note that entirely prohibiting off-trail use in any part of the planning area is not consistent with these guidelines, and that closures related to subsistence use must consider applicable provisions of ANILCA. We recommend BLM consider the importance of OHV use for game retrieval. An off-trail allowance for OHV use for the purpose of game retrieval should be part of any alternative that limits OHV use to existing trails. Some areas of State lands identified by

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	the Alaska Board of Game (Board) have vehicular use restrictions related to the harvest of fish and game. Annual Alaska Hunting Regulations describe vehicular restrictions for hunting by Game Management Unit. The Board generally addresses OHV management issues in these areas. (For more information, see the following website: http://www.wildlife.alaska.gov/regulations/pdfs/regulations_complete.pdf.) As previously stated, state-selected lands should be managed by BLM consistent with DNR policies as outlined in the Fact Sheet titled Generally Allowed Uses on State Land. The policy states that "using a highway vehicle with a curb weight of up to 10,000 pounds, including a four-wheel-drive vehicle and a pickup truck, or using a recreational-type vehicle off-road or all-terrain vehicle with a curb weight of up to 1,500 pounds, including a snowmobile (or other tracked vehicle), motorcycle or ATV, on or off an established road easement, if use off the road easement does not cause or contribute to water quality degradation, alteration of drainage systems, significant rutting, ground disturbance, or thermal erosion." An authorization is required from the ADF&G's Division of Habitat for any motorized travel in fish bearing streams (curb weight means the weight of a vehicle with a full tank of fuel and all fluids topped off, but with no one sitting inside or on the vehicle and no cargo loaded. Most highway rated sport utility vehicles are within the weight limit as are most ATVs)".
155.	Fish and Wildlife We request that BLM not reference "population levels" in any of its issues, criteria, or goals/objectives for the RMP because they are outside the RMP's scope. Except for some migratory species, population goals and objectives are the responsibility of the State. We request that the RMP accurately describe the BLM's land management role in habitat management, and ADF&G's authority as the manager of fish and wildlife. We recommend use of the term "general hunting" in lieu of the term "sport hunting" in the RMP for consistency with terms used in the state hunting regulations. We also note that Alaska resident hunters may subsistence hunt under state hunting regulations as well as under specific federal regulations. Subsistence hunting encompasses more than hunting under the federal subsistence hunting regulations. When lands are conveyed to private entities, under provisions of the Alaska Constitution, management of fish and wildlife are retained by the State for the maximum benefit of all residents. Any restriction on a particular resource use to protect habitat should require rigorous scientific data to support the decision, including consultation with the appropriate state manager and area residents. Analysis of the decision should consider the extent, level of intensity, frequency of the particular activity, and the impact of the specific disturbance at the population scale of the resource. Any specific action or restriction beyond what can be regulated under the statutory authority of the State should be considered on a case-by-case basis.
156.	Subsistence The BSWI planning area includes lands managed by BLM that are important for supporting fish, wildlife, and the habitat they depend on, which are in turn used for subsistence by both local area residents and people living outside the planning area. The ADF&G is recognized by BLM, through their Master Memorandum of Understanding, as the State agency with the responsibility for managing fish and wildlife in the area. Based upon statewide research conducted primarily by ADF&G in the 1990s, the average annual wild food harvest in rural areas of Alaska is estimated at 375 pounds per person compared to 22 pounds per person in urban areas of the state. Among rural Interior Alaska communities, ADF&G estimates that the average annual wild food harvest is 613 pounds per person and that 69% of rural Interior households harvest wildlife and 88% of households use wildlife resources, which attests to the significance of sharing wild foods with other households in subsistence oriented communities. Similarly, 75% of rural Interior Alaska households harvest fish, while 92% use fish for subsistence purposes (ADF&G 2000). Due to the significance of wild resource uses to the economies, cultures, and ways of life of Interior Alaska communities, we request that the BSWI RMP document and describe the customary and traditional wild resource use patterns in those communities located on or near BLM lands. These communities include, but are not limited to Aniak, Anvik, Bethel, Chauthbaluk, Crooked Creek, Grayling, Holy Cross, Lime Village, Lower Kalskag, Marshall, McGrath, Nikolai, Red Devil, Russian Mission, Shageluk, Sleetmute, Stony River, and Unalakleet.

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	To assist with this process we recommend BLM utilize the extensive research ADF&G has conducted in Interior Alaska, many of which are documented in the ADF&G Division of Subsistence's Technical Paper (TP) series and the Community Subsistence Information System (CSIS) (see ADF&G Division of Subsistence website at http://www.subsistence.adfg.state.ak.us/).
157.	Subsistence In relation to this planning process, ADF&G conducted subsistence harvest surveys documenting household harvests of fish and mammals in Anvik, Grayling, McGrath, Nikolai, and Russian Mission in 2011. In 2009, similar surveys were conducted in Aniak, Chauthbaluk, Crooked Creek, Lower Kalskag, Red Devil, Sleetmute, and Stony River. Older, but still relevant subsistence harvest information also is available in the CSIS and TP series for other communities located in the planning area. Of particular importance in this area are potential impacts to authorized uses of moose populations of Game Management Units 18,19, 20C, 21A, 21D, 21E, and 22D; Pacific salmon species; and resident fish such as whitefish and northern pike. Useful information for each community that uses or has used BLM lands for subsistence activities includes: specific geographic areas involved and the extent of use for particular seasonal harvest activities (vs. other lands); species harvested; seasonality of use; and how the area is accessed for subsistence harvest activities. Comparable data probably are not readily available in published sources for all communities, but the ADF&G Division of Subsistence TP series and CSIS are good starting points. In the BSWI Issues to be Considered document, the Public Safety, Social and Economic Features section states "How can the BLM protect resources that are important to maintaining a subsistence lifestyle?", which implies that resources are currently not protected or being damaged. The more appropriate question is, "Are subsistence resources being damaged and is additional protection needed?" This is a resource management concern (Issue #1 not #4).
158.	Planning Area Description The Bering Sea Western Interior area provides essential habitat for a myriad of fish and wildlife including spawning salmon, resident fish species, moose, caribou, wolves and water fowl throughout the region. Alaska Natives, the first people of these lands, live with the land, animals and rivers. People who work and live in the Bering Sea Western Interior area understand better than anyone the significance and meaning of this place. It is important that residents of the region participate in the planning process to make sure that local voices are heard regarding the lands that matter to their local communities.
159.	Planning Area Description Visitors and locals alike understand the value of the Bering Sea Western Interior region. It has long been a destination point for many who seek the back country experience. Paddlers from around the world float down any number of tributaries to the mighty Yukon River viewing wildlife, fishing and taking in some of the most remote places in Alaska. Alaska Natives, the first people of these lands, live with the land, animals and rivers. They understand better than anybody the importance of healthy land, water and air, as they rely on those natural resources to provide for them as well as for the animals they depend upon for their health and cultural integrity.
160.	Planning Area Description The Bering Sea Western Interior planning area features many special places and uses unique among BLM planning areas. The Iditarod National Historic Trail, home to the historic 1925 serum run, travels through the middle of the area; eighty-five miles of the 975 mile trail are managed by BLM. The Unalakleet Wild and Scenic River is the one designated "wild" river in the area, of which BLM manages 65 miles. Notably, two of the largest rivers in North America that support world class natural fisheries flow through this area: the Yukon River and the Kuskokwim River. In this planning area alone, nearly 60 communities reside in the Yukon and Kuskokwim River watersheds that depend on the salmon runs along hundreds of miles of river; the Yukon River is the third longest river in North America and the Kuskokwim River is the ninth largest river in the United States. People visit this area from all over the world to participate in the Iditarod Sled Dog Race, paddle its mighty rivers and explore its wild places. Most significantly, Alaska Natives who live in the region maintain traditional and customary practices. Unique and important areas within the Bering Sea Western Interior planning area have not gone unnoticed by BLM. Through previous planning efforts, 5 designated Areas of Critical Environmental Concern have already

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	been established to protect fish spawning and rearing, peregrine nesting habitats and all raptors.
161.	General Planning Comments BLM is obligated to manage the public lands in accordance with its multiple-use mandate. The definition of multiple use (43 U.S.C. 1702 (c)) compels BLM to prioritize the national public interest in our public lands for long-term and short-term needs. Therefore, BLM must look at the entire landscape and develop a management plan that accommodates the diverse needs of the public land users – which requires a balance between the needs for economic development and sustainable resource conservation. The needs of subsistence users, non-motorized recreation, scientific, scenic, historical, ecological, environmental, air and atmospheric water resources, and archeological resources must be balanced appropriately with motorized recreation and sensible development.
162.	General Planning Comments According to the Federal Land Management Policy Act (FLPMA) Section 103 (c), where there are competing resource uses and values in the same area, the BLM must prioritize the management of the land in a combination that will best meet multiple use and sustained yield mandates. The priorities of primitive management areas, Areas of Critical Environmental Concern, Research Natural Areas and Wild and Scenic River Corridors must be reviewed for their impacts to these special designations – with mitigation measures and protection in mind. The best combination of uses must put the natural and wild environment before development in designated areas and critical habitats. To determine the best management for the planning area the BLM must review impacts and the affected environment on a larger scale, beyond the borders of the region. This will help to 'understand priority resource issues,' (such as Yukon River fisheries) 'tailor decisions to specific needs and circumstances, and analyze cumulative impacts.' (BLM LUP Handbook H-1601-1 at 14). We recommend prioritizing adaptive management in the Bering Sea Western Interior planning area to ensure goals established in this RMP process are met with desirable outcomes. The uncertainty of climate change impacts, changing wildlife considerations, unforeseen shifts at the ecosystem level and possible impacts on human health from future development obligates BLM to ensure the Bering Sea Western Interior RMP has 'clearly identified outcomes, monitoring to determine if actions are meeting outcomes, and, if not,' the BLM must begin 'facilitating management changes that will best ensure outcomes are met, or to re-evaluate the outcomes.' (BLM LUP Handbook H-1601-1 at 36) Mitigation measures should be included to ensure that any post decision adverse consequences can be reduced or avoided for social, cultural, economic and environmental health.
163.	Climate Change Specific climate change impacts that are most relevant to the Bering Sea Western Interior Planning Area include: water resources and wetlands; local and international fisheries; mineral development; boreal forest health and habitat protection; permafrost stability and OHV management; and subsistence activities.
164.	Climate Change Water Resources and Wetlands With the growing knowledge and concern about the impacts of climate change impact, we recommend that the BLM continue (or resume if it has been suspended) on-site water level and inflow monitoring and that these data are analyzed to look for patterns that may suggest alteration in hydrologic regimes. These studies are important for understanding and estimating climate change impacts so that the best decisions for the resource can be made. Management implications of these landscape-level changes should be considered in the BLM management plan, particularly in the commitment of water resources and the short and long term health of aquatic systems. In addition, the Scoping documents do not include any reference to BLM's duty to protect instream flows for subsistence uses, ignoring the federal trust duty to preserve Alaska Native aboriginal lands and protect them from third-party intrusions. Under Alaska National Interest Lands Conservation Act (ANILCA), the government reserved "water quality and necessary water quantity" for new wildlife refuges, parks, and forests, covering approximately 104 million acres.2 With some exceptions ANILCA Section 810 imposes procedural restrictions on future dispositions of public lands if such dispositions will affect subsistence. If so, the federal agency managing the lands must analyze the effect of the disposition on subsistence and consider alternatives to reduce or eliminate the

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	need for the disposition. Section 17(d)(2) of ANILCA directed the Secretary of the Interior to classify up to 80 million acres of federal land in Alaska for inclusion in the National Park, Wildlife, Forest, and Wild and Scenic River Systems. Under ANILCA, however, the government did reserve "water quality and necessary water quantity" for new wildlife refuges, parks, and forests, covering approximately 104 million acres.3 ANILCA, mandates that a subsistence resources commission be appointed for each park or park monument in the state who, by mid-1982, were to "devise and recommend" a subsistence hunting program within each park or monument which after consultation and public hearing, the Interior Secretary was to "promptly implement."4 Six months after passage of ANILCA, the National Park Service promulgated regulations further defining who would be considered a "local rural resident",5 and establishing procedures for setting up "resident zones"6 in each of the parks or monuments.7
165.	Climate Change Subsistence Activities The BLM needs to consider the impacts of climate change on subsistence resources and practices. Changes in habitat within and beyond BLM managed lands are predicted to stress all of the wildlife, waterfowl and fish populations that serve as subsistence resources. Some populations may increase in abundance within the Bering Sea Western Interior Planning Area while others may alter their migration and be unavailable. We encourage the BLM to consider protective management strategies for Lands with Wilderness Characteristics and National Wild and Scenic River status as tools which can help wildlife populations adapt in a less disturbed environment during climate change while insuring subsistence access to needed resources. According to the findings of the Alaska Department of Environmental Conservation: 'The combination of global economy and a warming climate brings new species to our state, some of which directly affect the foods we consume and the food products we sell. New infectious diseases (viruses, bacteria, fungi) and parasites will find a naïve vulnerable population unable to defend itself against the invasion. Impacts to aquatic and terrestrial ecosystems will result in subsequent impacts to people, plants and animals. Some naturally occurring species, such as the spruce bark beetle, can have far greater consequential impact to the ecology when a warmer environment supports greater survivability and propagation. Colder temperatures were once protection from pathogens such as West Nile Virus (affecting birds, horses and caribou), Blue tounge (virus affecting sheep, deer, caribou and cattle), Viral Hemorrhagic Septicemia Virus (viral disease of fish), Ichthyophonus Hoferi (parasite infecting salmon) and Cryptococcus Gatti (tropical fungus affecting both animals and humans, now found in the Pacific Northwest and Vancouver). We are now finding infections caused by these diseases in animals and people farther north than ever previously reported.'
166.	Climate Change Subsistence Activities The State of Alaska's Department of Commerce stated in its letter to the Alaska Impact Assessment Commission that: 'Continued thawing of permafrost, and the retreat and thinning of sea ice is likely to cause widespread alterations to the lifecycles, habitats and health of ecosystems of subsistence resources. As habitats chance, these populations are likely to undergo dramatic shifts in range and abundance, which in turn will affect communities that are dependent upon subsistence resources.' 'Anticipated rural community impacts include: • Impaired dietary and economic well-being of subsistence based way of life. • Loss of traditional meat ice cellars in several northern villages to thaw, making them useless. § Reduced quality of life.'
167.	Climate Change Subsistence Activities The Alaska Department of Fish and Game reported to the commission that: 'The degree of potential effect to rural economies, especially if salmon are adversely impacted, could mirror the economic disasters declared in the previous decade.'

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	'Environmental monitoring will be needed to document the degree of changes in conditions that may affect populations of wildlife and stocks of fish upon which subsistence uses have customarily relied. Some examples follow: 1) Changes in freshwater and near shore hydrological conditions may increasingly impact species, populations, and life cycles of fisheries and wildlife resources customarily harvested. 2) Various hydrological changes can significantly affect subsistence users' access to harvest of either fish or wildlife. 3) Changes to terrestrial conditions also can be expected to influence the availability of wildlife and fish species to harvest, as well as access to harvest. 4) Range and extensions of more temperate plants and animals also may impact subsistence resources and resulting harvests.' The Department of Fish and Game calls for monitoring of subsistence harvests at the community level to assess necessary adaptations to the changing conditions in resources. The Department of Natural Resources states in their letter to the commission that traditional means of travel may be impacted because of the potential for less ice on lake and rivers and shorter seasons of frozen ground. Increases in fuel costs and changes in habitat and species diversity will change what subsistence foods are available. All of these findings from state based agencies should suit as ample warning of the potential impacts to the traditional way of life, not inclusive of direct impacts from development and other site specific management prescriptions that could promote damage to subsistence resources. We hope that the BLM will work closely with local and state experts to prevent and minimize impacts to habitat and wildlife – and prioritize the existing uses of the region over new incompatible uses.
168.	Traditional and Customary Use and Subsistence The BLM should prioritize the protection of subsistence resources in the Bering Sea Western Interior planning area. A reasonable balance must be achieved between the inherent conflicts between mineral development proposals and operations, infrastructure proposals and the protection of subsistence resources and habitats. According to Title VIII of the ANILCA, the federal government has a 'trust responsibility to protect the hunting and fishing rights of Alaska's indigenous peoples.' (ANILCA Citizen's Guide at 29) ANILCA was intended to 'guarantee the protection and continuation of subsistence uses by rural Native people' (125 Cong. Rec. 9899, 9904, May 4, 1979). Development interferes with wildlife as it fragments and eliminates habitat. Critical habitat of ample acreage must be prioritized for wildlife. The goal of section 802 of ANILCA is 'to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources' on the public lands in Alaska. And section 804 establishes priority for subsistence over all other uses – particularly in times of short supply. ANILCA requires a review of subsistence use areas, under section 810, when land use decisions are being made. It is not simply a procedural disclosure of impacts requirement as determined by Hoonah Indian Association v. Morrison, 170 F.3d 1223, (9th Cir. 1999). The court determined that agencies have to do more than simply consider impacts to rural subsistence users. Section 810 clearly states that no uses that significantly impact subsistence can be approved without justifying that the disruption is necessary and that any use that is determined necessary involves the minimal amount of public lands needed to accomplish the purpose of such a use.
169.	Traditional and Customary Use and Subsistence The impacts of time and space are inadequately weighted in 810 analyses. The current approach trivializes the importance of wildlife habitat and the reliance on the yearly migration and movement patterns of wildlife. What federal and state agencies consider 'short term' impacts – meaning wildlife is only displaced for a single season – can mean yearlong impacts to subsistence users. Displacing wildlife, even for short time periods, could mean traveling farther for harvest or not harvesting at all. The awareness of subsistence practices (locations, timing, and value) is just the beginning of BLM's obligation. Suppression or prohibition of activities in critical areas at vital times will ensure

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	that multiple-uses can co-exist. Habitat is also undervalued in 810 analyses. Reviews of harvest locations and migration patterns are not enough. A higher value must be placed on the large amount of habitat necessary to maintain healthy wildlife populations, which in turn will ensure healthy people. Recommendation: BLM must evaluate these areas for stronger protection to protect subsistence use areas and habitat.
170.	ANILCA 810 Hearings BLM must develop a clear strategy for conducting 810 hearings. Thus far, 810 hearings have been conducted in conjunction with public scoping meetings. This is an approved practice but the meetings must clearly define objectives for attendees and segment discussions to allow for appropriate use of time and effective information sharing. This may mean establishing agendas that guide discussions and define the desired outcome. To be most effective BLM should consider sending an outline ahead so time and resources can be allocated to organize and gather information to presentation to BLM and start a two way conversation. The right tools must be present for the best possible information to be passed between government representatives. To document observed migration patterns, harvest areas and subsistence resources the BLM must have maps of accurate scale and the suitable working materials for appropriate documentation. An example of a missed opportunity in past BLM planning was during the Chalkyitsik scoping meeting for the Eastern Interior planning effort. Chalkyitsik relies heavily on the resources in the Upper Black River area, where no current management plan exists until the Eastern Interior Record of Decision is issued. Little inventory exists for this planning area. Despite this, the BLM subsistence specialist and author of the subsistence portion of the Eastern Interior RMP was not present at the meeting scoping meeting. Furthermore the maps presented at the meeting were of insufficient scale to gain scoping knowledge that is helpful for planning. We encourage Bering Sea Western Interior Field Office staff to take a more comprehensive approach to working with subsistence users throughout the region and develop a realistic model for information sharing that can be properly incorporated into the plan.
171.	The Kuskokwim River The Kuskokwim watershed, with its 58,000 square miles represents more than a 10% of the Alaskan territory, and is larger than half of the states in our nation. Situated south of the Yukon watershed, the Kuskokwim is the longest free flowing river of the U.S.. Subsistence fishing is of major importance to the residents of this region and the largest subsistence harvest of chinook salmon in the state is taken from the Kuskokwim River.
172.	The Kuskokwim River Current Management and Health of the River The Alaska Department of Fish and Game manages the Kuskokwim River for commercial, sport subsistence, personal use and research. They also are a participating member in the Kuskokwim River Salmon Management Working Group, where federal and state fisheries managers meet with local users to cooperatively manage for salmon in the river. Subsistence use is given a priority in the management of the river as stated on their website, “Subsistence uses of wild resources are defined as 'noncommercial, customary and traditional uses' for a variety of purposes. These include: Direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation, for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption, and for the customary trade, barter, or sharing for personal or family consumption (AS 16.05.940[32]). Under Alaska’s subsistence statute, the Alaska Board of Fisheries must identify fish stocks that support subsistence fisheries and, if there is a harvestable surplus of these stocks, adopt regulations that provide reasonable opportunities for these subsistence uses to take place. Whenever it is necessary to restrict harvests, subsistence fisheries have a preference over other uses of the stock (AS 16.05.258).”13 Additionally, the Kuskokwim River Watershed Council was an organization formed to protect the Kuskokwim River. The council provides management guidance to maintain and promote traditional subsistence life for the residents. The

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	vision is to manage the land, water and air healthy for people, animals and plants, to pass on to the next generations. There are several mining operations located within the Kuskokwim River watershed, but the one of greatest concern is the Donlin Creek prospect located on private land within the Iditarod Block. This large scale gold mine will require significant infrastructure for mine development and maintenance during the life of the mine, as well as, long into the future to manage the contaminated water, known as tailings ponds, for which water treatment will be necessary in perpetuity. BLM needs to consider this project as it impacts water quality and quantity in regards to fish spawning and rearing habitat, subsistence use and mine infrastructure fragmenting the intact ecosystem.
173.	The Yukon River The Yukon River is the fourth largest watershed in North America and is of astounding local, national and international significance. (YRITWC, 2002) The Yukon serves as a transportation corridor in a vast area of roadless Alaska. Approximately 126,000 people live in the Yukon River Basin – ten percent of which maintain a subsistence lifestyle. Residents who live along the main stem of the Yukon or its tributaries use the surface water for drinking. (Brabets et al, 2000) Salmon species migrate the entire length of the river to spawn and are a staple of the subsistence lifestyle of rural villages. Many people who fish for subsistence also fish commercially – engraining their livelihood and prosperity into the health of the river. (Barbets et al, 2000) 'Salmon is a resource that has been utilized since time immemorial as a traditional subsistence resource. The people along the Yukon and its tributaries depend on the fisheries for food, social, ceremonial, recreational and economic purposes.' (YRSAHB, 2005) Recreational activities on the Yukon and its tributaries abound for both residents and tourists. (Brabets et al, 2000) Activities such as rafting, fishing, and hunting are supported all along the vast Yukon. Protection for the subsistence, recreation, commercial fishing and sport economies that exist all along the Yukon should be a priority for the BLM's managed lands along the river.
174.	The Yukon River Current Management and Health of the River The Yukon River is fundamental to the Bering Sea ecosystem as it provides nutrients through sediments and dissolved solutes. Processes that influence the Yukon therefore influence the Bering Sea. (Barbets et al, 2000) Despite its remoteness and perceived invulnerability, the Yukon River Basin is changing as a result of various sources. The area is experiencing warming on average of 1.4 degrees Fahrenheit per decade which has great impacts on water quality and disease occurrence for resident and anadromous fish species. (Chapman and Walsh, 1993) Salmon and other fish species require adequate water quality for their survival as does the abundant wildlife present in the Yukon River basin. (Barbets et al, 2000) Yukon River Ichthyophonus (Ick) has increased in prevalence in Chinook salmon populations of the Yukon River. The prevalence of the disease increases with higher water temperatures in the later summer months, the proliferation of the parasite is shown to be linked to these higher water temperatures. The source of the infection is unknown and juveniles do not appear to be impacted. Resident fish, such as the burbot, that feed on the returning salmon are suffering increased rates of mortality and may become an avenue for juvenile Chinook infection. (Kocan et al, 2004) The Yukon River Chinook are currently listed as a 'stock of yield concern' by the Alaska State Board of Fisheries under the guidelines established by the Sustainable Salmon Policy. This summer subsistence fishing has been restricted in Alaska. Canadian access has been limited to aboriginal uses only – who have voluntarily restricted their harvest for the future health of the species. Further impacts on water quality are identified but not quantifiable and include: impacts from migration of pollutants from middle latitudes, mining activities and previous military occupation. (Barbets et al, 2000) The Yukon River Inter-Tribal Watershed Council found, in 2002, that western water quality standards and guidelines, in Alaska and Canada, were not acceptable for Tribes and First Nations. YRITWC recommends that a holistic standard should be developed:

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	Even though streams and rivers may fall within the stated standards and guidelines at a given time, when sampled, the watershed may not be healthy in the holistic sense of providing an environment for the flora and fauna of the watershed. (YRITWC, 2002) In talks with Elders the YRITWC has found that there are observations of: [D]ecrease in fish and wildlife populations, changes in animal distribution and an overall sense the watershed is unhealthy. Elders have noted changes in not only anadromous salmonid populations but also in freshwater fish such as the winter staple whitefish, as well as an increase in the incidence of tumors and cysts in both fish and wildlife, which is also indicative of the change in human health. The health of the indigenous peoples of the watershed is related to the health of the subsistence foods, which they eat. (YRITWC, 2002)
175.	Recommendations for Wild and Scenic River Status The rivers listed below need to be considered for Wild and Scenic River status. All of these rivers support important fish species, are free flowing, and that the rivers and their immediate environments must be protected for the benefit and enjoyment of the present and future generations. It is very important during the evaluation process that BLM work closely with local communities to explain what a Wild and Scenic River designation means for protection and how it does not inhibit the ability of local people to participate in subsistence, and traditional and customary practices. The Yukon River and the tributaries within the Yukon River watershed are extremely important for wild fisheries, recreation, subsistence, traditional and customary use. Recommendation: Protect All Eligible Segments Whether found suitable or not, all segments found eligible must, under the provisions of the Wild and Scenic Rivers Act and accompanying regulations, be managed in order to preserve the characteristics that make those segments eligible.
176.	Visual Resource Management Visual Resource Management (VRM) classes need to be established and correlated with the recreation management objectives and setting prescriptions that have been set… (BLM Land Use Handbook 1601-1, Appendix C) VRM Class I is the appropriate designation for Wild and Scenic Rivers. All corridors should be managed for Class I. When determining the VRM for the more remote areas in the planning area, the BLM must work closely with local communities to maintain objectives and goals for potential special designations and subsistence resource protection.
177.	Oil and Gas, and Mineral Development Oil and gas, and mineral development is not compatible with the current traditional and customary uses, subsistence, wildlife habitat protection needs, visual resource uses and recreation within a majority of the planning area. Currently, more than 50% of the planning is open to mining and most of the area closed to oil and gas development. Allowing new development to more lands through the revocation of ANCSA (d)(1) withdrawals should not be considered. Critical areas should have limitations and closures. New development should be prohibited in areas currently open for mineral entry. Special places should have appropriate withdrawals put in place to prohibit mineral entry.
178.	Oil and Gas (leasable) Studies that examine the impacts of small scale mining tend to define the decreases in water quality as short term) defined as the individual summer season within which the operation is functioning) and local) defined as within 500 foot downstream of the operation.) (Field Studies, 2002) But the scale and size of the impacts within a stream are not looked at cumulatively with the number and dispersal of the mining operations, nor is the human scale of time and area necessarily the accurate analysis level for these studies. Aquatic invertebrates have a short lifecycle, typically a few weeks to a couple of years making the disturbance term 'forever' in terms of many local populations. Similarly, fish populations, particularly in their most susceptible juvenile stages, can suffer greatly in a season. Sedimentation from small scale mining

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	may only reduce spawning habitat for the summer within a certain area downstream of the development but without suitable and adequate spawning habitat one season can lead to long term impacts. (Field Studies, 2002) Oil and gas can be just as destructive as mineral development. According to the Pembina institute, one of many organizations that have reviewed the impacts to fish and fish habitat from oil and gas development, impacts include: • Fish kills from leaks and spills which also impact aquatic insects resulting in food web changes, limitations, contamination and shortages; • Sedimentation from road construction and washout – sedimentation increases the stress on fish and can disrupt feeding, growth, social behavior, and susceptibility to disease. Sedimentation also impacts primary production by preventing light penetration and, like mining, clogs streambeds and reduces spawning habitat and survival rates of eggs and juveniles; and • Seismic activity can result in damage to swim bladders, livers, kidneys and spleens. Seismic Shockwaves, if not fatal to fish, cause changes in behavior and cause chemical and physical changes to habitat.
179.	Roads, General Given these existing requirements, there does not need to be any additional aerial, visual surveillance of a crude oil transmission pipeline that does not have an associated road. Because 18 AAC 75.055 (b) requires that the flow of oil must be stopped within one hour of discharge detection, shut-down for Arctic crude oil transmission pipelines would be done by remotely-operated valves. However, there may still be increased aircraft overflights related to exploration, construction, and development of oil and gas fields, as well as from supply, crew change and other logistical support and ecological baseline and monitoring studies. Additionally, roads are not necessary for transmission pipeline leak and spill cleanup although the track record for this practice is more limited in the arctic and should be carefully evaluated. Helicopters, and snowmachines and low–ground pressure vehicles can be used in winter for access. The additional Planning Criterion we propose is: The BLM will consider non-road alternatives a priority over road developments to minimize adverse impacts to subsistence and wildlife habitat.
180.	Roads Provide Increased Access Road development can also allow for increased public access to areas where competing uses were not at issue before. At issue is whether new or existing roads would be open to the public. Negative impacts from increased access include loss and degradation of subsistence resources, cultural resources, archeological and anthropological sites, harm to food security and human health impacts, loss of wilderness and wildlands, loss of scientific baselines associated with intact and remote landscapes, impairment of visual resources and loss of scenic beauty, and degradation of wilderness recreational values including remote hunting and fishing experiences. The road, if open to the public, would allow access to waterways by snowmachines, jetboats, and other recreational or sport uses that could have devastating impacts on nesting and foraging grounds for raptors, waterfowl, shorebirds, and any other species (bird, mammal or otherwise) concentrated along river corridors. Public access could bring detrimental effects from increased visitor numbers that can disrupt subsistence uses, compete with subsistence uses, and degrade the quality of those resources and the environment supporting the resources. For example, increased access for urban hunters and sports hunters would impact the subsistence harvests by disruption as well as by direct competition. Hunting will also bring more intensive state and federal management of the area There is very little data about the impacts of highways and roads on caribou migration patterns. Local communities rely on seasonal caribou migration to provide for family and community members. A road itself could further impact subsistence use because a road has the potential to alter the caribou's migration, and that impact could be worse if the road is heavily trafficked, resulting in more noise, pollution, and people. If a road were to change caribou migration patterns and in turn force people to travel farther from the village, many people would not be able to participate in an activity that

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	defines who they are. This jeopardizes the very culture of the local community.
181.	Mineral Management Goals Recommendations: • Mining, coal, oil and gas development should not be permitted within areas identified as important, significant or crucial habitat for fish and wildlife. BLM needs to continue to examine and identify important habitat areas for fish and wildlife. • BLM needs to partner with local communities to develop a comprehensive list of terrestrial animals and their important habitat and migration corridor areas. • BLM needs to consider closing ACECs to mineral location. Mineral entry should be prohibited in order to maintain the other uses that currently take place in those ACECs. • The RMP should take a precautionary approach, and retain the ANCSA d(1) withdrawal status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities. • BLM must share the stream studies conducted in partnership with the Alaska Department of Fish and Game to provide the public information about the status of the important spawning locations. We encourage BLM to further investigate important river and stream habitats for healthy fish migration and spawning to further support the production of these internationally important natural fisheries. • The BLM needs to put in place specific performance standards for mine operations to address the increased risks associated with arctic weather conditions. • The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands. • The BLM should adopt a policy to conduct an Environmental Impact Statement for major mine projects proposed on BLM land within the RMP. It's simply inappropriate to use an Environmental Assessment (EA) for major hardrock mine operations, considering the significance of potential impacts. Furthermore, an EIS allows the BLM and the public to evaluate a full range of alternatives and provides essential analysis and information to allow the BLM the opportunity to consider the least adverse impact possible. • The RMP needs to recognize the increased frequency and intensity of storm events due to climate change, and incorporate more rigorous standards for hardrock mine operations that ensure that mine facilities are designed and engineered to withstand maximum storm events, particularly for facilities that will be managed in perpetuity.
182.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts The impacts on the land and to the people are a much more complicated issue to manage. There are many factors that contribute to impacts including but not limited to development, climate change, invasive species, and social stresses. In turn, the effects of these impacts, including cumulative impacts to the land, animals, and people vary and can be unpredictable. It requires strong and adaptive management from BLM to account for the various impacts. Some of the contributing factors in the Bering Sea Western Interior planning area regarding physical changes in the environment include: decisions made by the Alaska legislature about water rights and development (i.e., House Bill 77); potential for coal development; proposed roads; utility corridors; current and future mining projects; continued development along current utility corridors and climate change. These impacts affect air quality, noise quality, human health, availability of wildlife, and cultural resources to local people throughout the planning area. Wildlife management and subsistence activities can be impacted by the fragmentation of the lands. These impacts should be evaluated to ensure the

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	integrity of the land is maintained for subsistence which is a priority on federal lands. The current management plans for the Bering Sea Western Interior planning area prescribe an abundant need for science and monitoring that do not appear to have been completed. We hope that this next RMP will allow for some of these needed studies with priorities on climate change impacts and recommendations for dealing with a changing environment. These studies and prescribed monitoring described in the existing plans will aid in ensuring sustainability of the resource for future generations. BLM needs to be forthcoming about success in monitoring and evaluation of the planning area for wildlife life habitat and management goals. BLM should also consider other development and discoveries that have taken place in the area because there are other reasonably foreseeable projects that the BLM must consider, including the pipeline and transportation corridors, future development related to transportation, communications, mineral extraction (ie, Donlin Mine and other mineral rich locations) and energy projects. BLM must also consider the growing need for scientific data; cumulative impacts from increased river and air traffic need to be evaluated as well. In sum, BLM must evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
183.	Impacts, Including Cumulative Past, Present and Reasonably Foreseeable Future Impacts Recommendation: - BLM should conduct a comprehensive assessment of the subsistence scenarios of migratory species coming through these planning areas. - BLM should evaluate all associated impacts within the planning area as well as all reasonably foreseeable future developments that will contribute to the overall cumulative effects to the area.
184.	Form Letter Master: The Alaska Wilderness League asked our membership and supporters to provide comments and concerns regarding planning in your areas. Specifically, we are asking that no new development is allowed and that mineral withdrawals remain in place. Please consider these comments as you develop the management alternatives for the Bering Sea Western Interior and Central Yukon Planning Areas. The Central Yukon and Bering Sea-Western Interior planning areas include vast populations of wildlife including caribou, moose, wolves, bears, migratory birds and fish. Both Alaska Natives and surrounding communities depend upon the bounty of the lands and waters for their livelihoods as commercial fisherman, and for subsistence, cultural and traditional practices. Yet, development projects including mines, roads and associated infrastructure could pose significant negative impacts on surrounding communities, including water degradation and reduced access to subsistence resources. The Bureau of Land Management should make sure that wildlife and our cultural history are preserved through these planning processes and that each area's existing mineral withdrawals (which currently prohibit mining and oil and gas development within each area) remain in effect, ensuring balance in both of the management plans.
185.	Although I may never personally set foot on any portion of these 26.6 MILLION acres (cannot even fathom this figure, actually) that BLM will be managing, I would like to know that the primary focus is to favor subsistence living as well as cultural and traditional practices of those peoples living in this area and forgo resource extraction other than the commercial fishing that is currently taking place.
186.	As an Alaska resident who respects the traditional way of life of our Alaska Natives and Communities I implore you to protect these areas. As and Alaska resident who enjoys and respects the beauty, pristine and uniqueness of our state, I ask that you protect Central Yukon and Bering Sea-Western Interior
187.	Dear BLM, Please consider strong protective management for the Central Yukon and Bering Sea Western Interior planning areas. We live in a time of uncertainty for our landscapes and the animals that rely on them. Further, people living in the area depend on the land and animals so as we look into the future of these planning areas a long term conservation strategy will serve our public lands better than a short term mining or oil and gas

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	development investment.
188.	For those of us who live in rural Alaska, clean water to support the fish and wildlife we depend on is by far the most valuable, and irreplaceable, resource.
189.	Please protect our fish and wildlife. Please protect their habitat so that our native people do not lose their centuries old culture.
190.	THE LEGAL FRAMEWORK FOR PLANNING Federal Land Planning Management Act or FLPMA provides the general framework for BLM's land management decisions. FLPMA directs the bureau to manage lands for multiple uses, but one of Congress's goals in promulgating the statute was that public lands would be "managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values . . ." as well as to "preserve and protect certain public lands in their natural condition" and provide "food and habitat for fish and wildlife." 43 U.S.C. § 1701(a)(8). Section 202 of FLPMA, 43 U.S.C. § 1712, directs the BLM to develop resource management plans and requires that in developing plans, the agency will: • Use and observe the principles of multiple use and sustained yield and recognize that multiple use does not mean all uses in every place; • Use an interdisciplinary approach to integrate physical, biological, economic, and other sciences; • Give priority to designating and protecting areas of critical environmental concern; Rely, to every extent possible, on an inventory of public lands, their resources, and other values; • Consider present and potential uses of public lands; • Consider the relative scarcity of the values involved and the availability of alternative means and sites for realizing those values; • Weigh long-term benefits to the public against short-term benefits; • Provide for compliance with applicable tribal, Federal and State pollution control laws, standards, and implementation plans; and • Coordinate the land use inventory, planning and management activities of public lands with land use planning and management programs of other agencies.
191.	THE LEGAL FRAMEWORK FOR PLANNING The Alaska National Interest Lands Conservation Act (ANILCA) provides some direction on how BLM must undertake the planning process, especially regarding subsistence and Wild and Scenic Rivers. Alaska National Interest Lands Conservation Act Section 810 recognizes that subsistence uses are a critical public interest and provides a framework to consider and protect subsistence uses in BLM's decision making process. Section 810 does not "prohibit all federal land use actions which would adversely affect subsistence resources but sets forth a procedure through which such effects must be considered and provides that actions which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized." 1 (Emphasis added.) Accordingly, Section 810 of ANILCA, 16 U.S.C. § 3120, imposes a two-tiered process to evaluate a project's impacts on subsistence uses. First, BLM must evaluate the effect of its land management action on "subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes." 16 U.S.C. § 3120(a). If BLM determines that the activity will not "significantly restrict subsistence uses," id., then BLM would issue a Finding of No Significant Restriction, and the requirements of Section 810 are satisfied. However, if BLM makes the initial determination that the action would "significantly restrict subsistence uses," the BLM must then determine whether any restriction on subsistence is necessary, involves the minimal amount of public lands necessary to accomplish the purpose of the use, occupancy or disposition of public lands, and takes steps to minimize the adverse impacts to subsistence uses and resources. 16 U.S.C. § 3120(a)(1)–(3).

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192.	RANGE OF ALTERNATIVES The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. §§ 1502.14(a) and 1508.25(c). NEPA's requirement that alternatives be studied, developed, and described both guides the substance of environmental decision-making and provides evidence that the mandated decision-making process has actually taken place. Informed and meaningful consideration of alternatives, including the no action alternative, is an integral part of the statutory scheme. An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. 9This evaluation extends to considering more environmentally protective alternatives and mitigation measures.10 NEPA's requirement for consideration of a range of alternatives is intended to prevent the EIS from becoming "a foreordained formality." Alternatives that must be considered under NEPA are those that would "avoid or minimize" adverse environmental effects. NEPA requires that an actual range of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." 11This requirement prevents the EIS from becoming "a foreordained formality."12 Given the broad purpose of the preparation of the Bering Sea Western Interior plan and the information compiled by the public regarding natural and cultural values of these lands, the range of alternatives for these lands should include a number of alternatives to protect their conservation values. Through management plans, BLM can and should protect natural and cultural values through various management decisions, including by excluding or limiting certain uses of the public lands. See, 43 U.S.C. § 1712(e). This is necessary and consistent with the definition of multiple use, which identifies the importance of subsistence values, cultural resources, recreation, wildlife, and natural scenic values, and requires BLM's consideration of the relative values of these resources but "not necessarily to the combination of uses that will give the greatest economic return." 43 U.S.C. § 1702(c). The BLM must uphold its responsibility to protect the abundant natural values present in the Bering Sea Western Interior planning area when developing management alternatives in the Bering Sea Western Interior draft Resource Management Plan and evaluating their environmental consequences, as required by both FLPMA and NEPA, 42 U.S.C. § 4321 et seq.
193.	Disposition of Lands Restrictions are imposed by ANILCA section 810 on future dispositions (i.e., leases, permits, withdrawals, etc.) of public lands if such dispositions will effect subsistence.[6] If so, the federal agency managing the lands must analyze the effect of the disposition on subsistence and consider alternatives to reduce or eliminate the need for the disposition. If the disposition would "significantly restrict subsistence uses," then it is prohibited until the agency: 1) Gives notice to the state and the affected local committees and regional councils; 2) Gives notice and holds a hearing near the lands being disposed of; and 3) Determines essentially that restrictions of subsistence is necessary, that the least possible amount of land is affected and that reasonable steps will be taken to lessen adverse effects on subsistence.[7] Recommendation: The bureau should fully analyze any effect of dispositions on subsistence and consider alternatives to reduce or eliminate the need for the disposition if the subsistence impact is negative.
194.	Migration Routes & Wintering Habitat Primary wildlife migration routes should be determined for the following caribou herds found in the Bering Sea Western Interior, at a minimum, and consideration should be given for protections of those routes:

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	• Western Arctic Caribou Herd; • Beaver Mountains Caribou Herd; • Sunshine Mountains Caribou Herd; • Farewell-Big River Caribou Herd; • Mulchatna Caribou Herd; • Nushugak Peninsula Caribou Herd; • Nelchina Caribou Herd; and • Denali Caribou Herd. Wintering habitat for moose populations important for subsistence should be identified and incorporated into the Resource Management Plan. Recommendation: Protections should be considered in the Bering Sea Western Interior RMP for caribou migration and moose wintering habitat.
195.	There is a long history of the uncommon value relative to the outstanding wildland habitats, view-sheds and the incredible wildlife populations within this region. Large industry developments should not jeopardize these exceptional natural attributes and this EIS has to provide true base line protection for these outstanding natural characteristics. These incredible wildlife populations and their given habitats have long provided great benefit to subsistence hunters, resident hunters, professional guides, photographers, eco-tourism and many related aspects of each to the local people and communities affected by this proposed development, not only in food but in important and longtime sustainable economy as well. This planning process must therefore work to protect these ways of life. This way of life has required a deeply seated conservation basis for viability and sustainability which could be lost by large industrial developments within this region. It is not right to have to forfeit one way of life for another. The EIS must work to truly protect these long term and sustainable businesses and the people who have had the entrepreneurship spirit to develop and manage them. With prudent wildlife and industry stewardship which are sustainable, the professional guide industry, which has existed for over seventy years prior to can easily be sustained for centuries. The EIS should work to protect this provision for Alaska and the people the world over who want to see, enjoy and experience true wilderness and a true wilderness hunting experience. Therefore, it is very important to build the impact of large industry to allow for both. In my opinion, the EIS scoping if truly done properly can provide for both. The compromise of our way of life or industry for another does not need to happen for all to have the conservation basis needed for successful long term sustainability. The EIS process can help provide for both by carefully exploring the former comments and those that follow here.
196.	Regarding the professional hunting guide and hunter transport industries and their future relative to this EIS scoping: It is vitally important to the sustainability of these industries that they are provided within a sound conservation basis. This basis should be fully explored and steered to within the EIS process. The hunt transporter industry has no conservation basis sideboards built into its regulatory or statutory oversight. Therefore, any opportune wildlife populations are at risk of exploitation by this industry. When combined with the high cost of fuel relative to this industry, operators naturally focus on wildlife populations which are available near communities. Residents of the same communities who are dependent upon subsistence hunting opportunities often find their way of life marginalized by this commercial activity. Substantial conflict then occurs. Alaska is full of examples of this problem. The EIS should define a process which creates opportunity for this industry to operate within a stewardship basis provided by the service providers. Transporter services should be awarded the opportunity to access lands within the BSWI based upon proven or proposed respect for the

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	lands, resources and ways of life they will be impacting. Alaska's professional hunting guide and outfitter industry has been an integral part of State history by providing professional escort to the many visiting hunters from around the world who choose to hunt in Alaska. Wilderness and wildlife within the BSWI are well known worldwide as a premier hunting designation. Alaska's extreme climate, terrain, vast wilderness, waterways, certain big game animals and logistical challenges pose serious levels of challenge and danger to visiting sportsmen and women who are often not prepared for these concerns. Thus, the professional guide and outfitter industry provides and will continue to provide a very necessary service. This industry, which is dependent upon sustainable and renewable resources supports a substantial and historical economy for Alaska. Rural Alaskan's in particular, which have lifestyles that compare with the inherent challenges and oversight of pursuit, harvest and care of game, have been a significant part of this industry. As there is currently no effective manner to limit the amount of guided or transported hunt activity that can take place on BLM lands the Alaska Board of Game has had a serious burden presented to them regarding protecting wildlife populations from over harvest. The BSWI EIS Scoping should recommend development of a stewardship based guide and transporter concession program to protect wildlife within the region. There is currently less than favorable social conditions related to subsistence hunting within many BSWI communities due to over commercialism of guided sport hunting activity in near proximities. The BSWI EIS Scoping should recommend development of a stewardship based guide concession program to protect the subsistence way of life.
197.	<u>BLM should prioritize the long term health and maintenance of the WACH and the habitats upon which it depends within the Planning Area to ensure the health of the herd and subsistence opportunities for the communities of northwestern Alaska.</u> With the herd currently in decline, habitat conservation in the next decade will help promote resiliency of the herd. Conservation of caribou habitat can accomplished by: a) Prohibiting industrial activities, including mining, in the core seasonal habitats (Figure 2). b) Avoiding disturbance to caribou as they engage in their annual seasonal movement and avoid fragmentation of their range (Figure 3), including minimizing impacts from industrial activities and transportation, recreational users and other forms of non-subsistence development and travel. c) Identifying and recommending permanent, administrative (e.g. ACEC) or seasonal protection measures needed for important habitats and subsistence use areas for lands with the planning area. d) Prohibiting dust-control treatments (e.g. chemicals) that may be harmful to caribou, their habitat and people on roads through BLM managed lands.
198.	It's important that BLM allows the people of the region to come first. That means the history (traditional gravesites, traditional hunting grounds, native allotments, etc.) need to be preserved and the cultural heritage needs to be sustained. Annual hunting and fishing grounds need to remain open to the native population of the area. When establishing land use determinations for the area, the people of the area need to be involved so that their voices can be expressed. They are the people who live off the land and know what works and what doesn't, and their voices need to be not only expressed, but heard and put into action.
199.	As for the Georgetown area, it is important that our tribal lands remain intact so that our current and future members will have a place to call home. The traditional fishing and hunting grounds around Georgetown are of great importance to our people and any decisions made need to consider and

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	protect those locations (Brown, pg 99). The George River not only provides hunting and fishing opportunities to those in the region, but it also allows the local population to access ancestral grounds that go back hundreds of years.
200.	Included in this document are three maps of the Georgetown area, an "Overall Site Context" map, a "Site Analysis" map, and a map documenting important subsistence and environmental areas. These include only some of the areas and specific locations that are important to the Native Village of Georgetown, mainly those in close proximity to Georgetown itself. The locations marked in red on the site context map mark areas of cultural significance to our members. The Site Analysis Map should give you a general idea of the layout of the land. The "Environmental and Subsistence Areas of Significance" map marks specific locations as related to the location of Georgetown Native Allotments. Georgetown Members have a fish camp on the river, and spend two or three weeks every summer harvesting salmon for their families. ADF&G and the Kuskokwim Native Association have a fish weir on the George River, which helps to monitor the escapement of salmon to their spawning grounds on the George River. Lastly, the GTC is in the process of collecting baseline water quality data for the protection of water quality in the Kuskokwim and George Rivers, These areas need to be preserved for our members, and for future generations. In a recently published report by the Alaska Department of Fish & Game, the subsistence use details of Georgetown members is well documented (Brown, 2013). Technical Paper No. 379, pages 81-113, summarizes the results of a study conducted on 21 households in 2010 that included members of Georgetown. Page 99 of this document includes a map identifying "harvest locations and search areas for all resources" of Georgetown members who contributed to the research done for the paper. The GTC asks that those documented subsistence needs and areas be recognized and considered, while the RMP is being updated.
201.	The region surrounding Georgetown and the middle Kuskokwim River is a very pristine area, which has not seen a lot of development in the past. Georgetown supports economic development, as long as it is done in an environmentally responsible way. Things like mining and right of way corridors (pipelines, roads) disrupt the natural state of the environment, and should be limited and allowed only after careful consideration of all environmental and social impacts from such projects (including, but not limited to, consideration of subsistence harvest areas, culturally sensitive areas, and native allotments).
202.	We appreciate the opportunity to comment on the scope of the Bearing Sea-Western Interior Resource Management Plan (BSWI RMP). YRDFA is an association of commercial and subsistence fishers on the Yukon River. The region we represent is home to some of the world's most prolific salmon resources, and the world's furthest migrating salmon runs on the Yukon River. These salmon provide a primary source of food for humans and the dogs which are essential to the continued viability of the subsistence way of life in the Yukon River watershed. For many residents the commercial salmon harvest also provides the only means of income for those who live in the remote villages of Central Alaska. Land management decisions made by the Bureau of Land Management (BLM) could have profound effects on salmon and salmon-dependent communities throughout the Yukon River watershed. We therefore ask the BLM in developing the BSWI RMP and associated Environmental Impact Statement (EIS) to: 1) Address impacts to salmon stocks, federally-protected subsistence users, commercial fisheries; Yukon River Salmon Act treaty obligations; and environmental justice implications of each management alternative, including changes to (d)(1) withdrawal status; 2) Address the cumulative impacts to Yukon River salmon stocks from this action and other reasonably foreseeable actions including salmon bycatch in the Bering Sea pollock fleet, climate change, Ichthyophonus and resource development on non-BLM lands; and 3) Conduct adequate consultation with tribal entities throughout the affected river systems as directed by E.O. 13175.
203.	<u>A. Impacts to salmon stocks;</u> In analyzing the impacts of the proposed management action, BLM must analyze the impacts to Chinook, summer and fall Chum, Coho, Sockeye and

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	Pink salmon in the Yukon River and its tributaries. Analysis should include impacts from increased mineral development including but not limited to: leaching, direct exposure to chemicals at various stages of the salmon lifecycle, and impacts to habitat from mineral development itself and the associated roads. Direct and indirect impacts to salmon should be analyzed for each management alternative, including changes to (d)(1) withdrawal status. Yukon River salmon runs experienced run failures in 2000 and 2001. While chum salmon runs have been high in recent years, Chinook salmon have continued to struggle towards recovery. Because the Chinook salmon of the Yukon River spawn in both the United States and Canada, a bilateral treaty governs these runs. The Yukon River Salmon Agreement (YRSA), an annex to the Pacific Salmon Treaty sets out specific requirements and the Yukon River Panel, composed of United States and Canadian representatives, sets specific escapement goals for Canadian bound fish. Despite drastic conservation measures, both in Alaska and Canada, escapement goals have not been met for five of the last seven years Impacts to salmon stocks should be analyzed in light of the extremely fragile state of this salmon run, and its extreme importance to subsistence and commercial users (discussed below). The BSWI RMP should embrace a precautionary approach, limiting additional mineral and other development unless it can be shown that there will be absolutely no detrimental impacts to salmon populations. To ensure that impacts on salmon stocks are adequately analyzed, both the U.S. Fish and Wildlife Service (USFWS) and the Alaska Department of Fish and Game (ADF&G) should be consulted on this EIS because of their expertise in and shared management responsibility for Yukon River salmon populations.
204.	<u>B. Impacts to federally-protected subsistence users;</u> The BSWI RMP and associated EIS must take into consideration impacts to federally-protected subsistence users. Chinook and chum salmon are a vital subsistence resource for rural residents throughout the Yukon River. Without subsistence salmon to feed people and the sled dogs which are an integral part of the subsistence lifestyle on the Yukon, existence in these remote villages would be difficult, if not impossible. Salmon are of irreplaceable value to the cultural, spiritual, and nutritional needs of the Native people of the Bearing Sea and Western Interior Alaska region. Subsistence salmon literally serve as the “grocery store” for village residents, and also serve vital cultural purposes. In communities where other subsistence resources such as moose and caribou have decreased, the value of salmon as the only subsistence resource is even greater. Under the Alaska National Interest Lands Conservation Act (ANILCA),1 federally-qualified subsistence uses have priority over other fish and wildlife needs in-river. Impacts to subsistence users should be analyzed on a Yukon River watershed-wide basis, as any impacts to the salmon in the Bearing Sea-Western Interior regions will be felt throughout the watershed given the anadromous nature of the fish. The result of management actions on the availability of and access to subsistence resources should be considered. Because the Chinook salmon runs are not strong enough to support subsistence needs, particular concern should be given to protecting these stocks in the BSWI RMP.
205.	<u>C. Impacts to commercial salmon fisheries;</u> Commercial salmon harvests provide one of the only sources of income in many Yukon River villages. On the Yukon River, commercial salmon harvests have declined in recent years. In some years, no directed commercial fishery is allowed for Chinook salmon. The recent 10 year average includes several years when Chinook returns were declared disasters by state and federal agencies, and necessitating many millions of dollars of aid. As with subsistence fisheries, impacts to commercial salmon fisheries should be looked at on a river-wide basis, as any impacts to salmon in the Central Yukon region will be felt throughout the watershed. Impacts to commercial fisheries should be analyzed not on the basis of economic value alone, but on the role of these fisheries as sources of employment in the affected communities.

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206.	E. Environmental Justice considerations under E.O. 12898. Healthy Yukon River salmon stocks are of vital importance to the primarily Native Alaskan communities who depend on salmon for their sustenance and their livelihoods. Harm to the salmon stocks because of increased mineral development and other changes in use places a disproportionately high burden on these communities because of the central importance of this resource to Native Alaskan communities. Under Executive Order 12898, federal agencies are required to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions."3 Under this Executive Order, which has been interpreted as evidence of the government's heightened responsibility toward protecting the resources that these communities and cultures have historically depended upon,4 the BLM should analyze the disparate impacts placed on Alaska Native communities in the Yukon River as a result of changes to salmon populations, subsistence and commercial fisheries and access to subsistence resources.
207.	The EIS should address the cumulative impacts to Yukon River salmon stocks from this action and other reasonably foreseeable actions including salmon bycatch in the Bering Sea pollock fleet, climate change, Ichthyophonus and resource development on non-BLM lands; NEPA requires the analysis of cumulative impacts in addition to direct and indirect impacts. NEPA defines a cumulative impact as: the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.5 There are many past, present and future actions which have impacts on Yukon River salmon. BLM should consider in particular the impacts from salmon bycatch in the Bering Sea pollock fleet. Salmon bycatch in the BSAI pollock fishery increased dramatically in the mid-2000s and has since declined to below historical levels. Chinook salmon bycatch hit a record high in 2007 of over 120,000 Chinook salmon. So far in 2013, through November 7, 12,939 Chinook salmon have been caught as bycatch. Chum salmon bycatch peaked in 2005 at more than 700,000 chum salmon. By November 7, 2013, 124,921 chum salmon have been caught as bycatch by the BSAI Pollock fishery. According to scale pattern analysis of bycatch, recent genetic studies show that on average about 73% of Chinook salmon bycatch is of Western Alaskan origin. These numbers vary year to year—in 2011 stock composition was 68% Coastal Western Alaska (includes the lower Yukon); 2.5% Upper Yukon River and 1.6% Middle Yukon River. In contrast, in 2010 approximately 20% of the bycatch was of Upper Yukon River origin. Available information indicates that 20-25% of the chum salmon bycatch is of Western Alaska origin (including the lower Yukon) in recent years. This has likely had and will continue to have a significant impact on Yukon River salmon and should be considered in the cumulative impacts of this BSWI RMP.
208.	Conduct adequate consultation with tribal entities throughout the affected river systems as directed by E.O. 13175. Executive Order 13175 directs all federal agencies to consult with tribes before promulgating any regulations which will have "tribal implications."7 Because of the significant potential impacts to tribes and subsistence resources on the Yukon River from the Bearing Sea-Western Interior RMP, BLM must consult with all of the potentially affected tribes on this matter. Because of the complexity of the issue and the probable length of the EIS, to adequately comply with the requirements for consultation, summary materials should be developed which, along with the full EIS can provide a resource to tribes to adequately participate. Further, BLM should make use of available opportunities to conduct presentations about the matters under consideration at forums including, but not limited to: Federal Subsistence Regional Advisory Councils, Alaska State Fish and Game Advisory Committees and the Yukon River Panel.
209.	These scoping comments are submitted on behalf of Earthworks, a national conservation organization, with 500 Alaska members. Our mission is to

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	protect communities and the environment against the adverse impacts of hardrock mining. The Bering Sea-Western Interior planning area includes all lands south of the Central Yukon watershed to the southern boundary of the Kuskokwim River watershed, and all lands west of Denali National Park and Preserve to the Bering Sea, including Saint Lawrence, Saint Matthew and Nunivak islands. We urge the BLM to prioritize land management policies that support watershed health, subsistence use, and sustain fish and wildlife habitat in the planning process. Our scoping comments pertain to maintaining the majority of the current management for most of the lands in the Bering Sea Western Interior planning area. We also encourage the BLM to develop criteria and standards for mineral development to address the increased risks associated with the extreme weather conditions and climate change that are particularly significant in this northern region. More detailed comments are specified below.
210.	Issue A(3) Mineral Development A substantial portion of the Planning Area is subject to the mandate of ANCSA 17(d)(1), 43 U.S.C. §1616(d)(1). If the d(1) mineral withdrawals are lifted, these BLM lands will be governed by the 1872 General Mining Act. This federal law, which was enacted 140 years ago to help "settle the west," continues to govern mining activities on federal lands today. The General Mining Law of 1872 (17 Stat. 91; 30 U.S.C. § 21 et seq.) grants a statutory right to enter upon public lands to prospect, explore, develop, mine, or process mineral resources. Furthermore, the law allows a claimant to stake an indefinite number of mining claims, and those claims can be held indefinitely. The 1872 General Mining Act prioritizes mining over all other land uses, including subsistence, wildlife habitat, recreation, and fisheries. Under current interpretation of the law, mining is considered the "highest and best use" of federal lands, and federal land managers must approve any reasonable plan of operations, regardless of conflicts with other uses.1 Hardrock mining can have significant adverse impacts on subsistence use, fish and wildlife habitat, water quality, and other important land uses. According to the Toxic Release Inventory, compiled by the U.S. Environmental Protection Agency, hardrock mining is the largest source of toxic pollution in the United States.2 The impacts of hardrock mining to fish, and the inadequacies of the 1872 Mining Law to protect aquatic resources, are documented in a 2010 scientific article in Fisheries.3 Impacts to water quality from modern hardrock mines are also documented in a 2006 study, which compared water quality predictions during the permitting process with water quality impacts after mining commenced. It found that: • 100 percent of mines predicted compliance with water quality standards before operations began (assuming pre-operations water quality was in compliance). • 76 percent of mines studied in detail exceeded water quality standards due to mining activity. • Mitigation measures predicted to prevent water quality exceedances failed at 64 percent of the mines studied in detail.
211.	Issue A(3) Mineral Development At the Red Dog Mine, impacts to water quality and fish occurred over a number of years. In 1989, water in the streams below the mine began to show dramatic increases in zinc. An orangecolored flow was seen entering the Middle Fork of Red Dog Creek near the mine, and continuing on as Red Dog Creek entered Ikalukrok Creek five miles further downstream. In 1990, the seepage problem got worse. Zinc contamination levels, which were approximately ten times the state water quality standards in 1989, rose to as much as 200 times higher than the standard. Dead fish from the Wulik River were discovered by the public approximately 25 miles downstream from the mine.6 Zinc levels in Ikalukrok Creek, which empties into the Wulik River, exceeded 40 mg/l. This culminated in an Administrative Complaint and penalty from EPA on February 28, 1991. The complaint cited 134 violations of effluent limitations for metals and pH.7 The supplemental environmental impact statement for the Red Dog Mine documented multiple subsistence impacts, including reduced harvest of beluga by Kivalina harvesters, likely related to port activities.8 Subsistence users have observed changed or diverted migration routes, reduced harvest of caribou, decreased size of caribou individuals and groups, and increased disease. Trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and

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	cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.9 Recommendation: The RMP should take a precautionary approach, and retain the d(1) status for all lands that are important for subsistence use, fish and wildlife habitat and other important uses for the region that could be impaired by mining activities.
212.	<u>How will BLM manage mine operations and access/haul roads to ensure that public lands are protected?</u> For example, trucks transporting ore from the Red Dog Mine to the port 52 miles away on the Chukchi Sea caused extensive metals pollution (lead, zinc and cadmium) along the Delong Mountain Transportation System, and adjoining public lands within the Cape Krusenstern National Monument, northwest Alaska.11 Two National Park Service studies have shown that the heavy metal dust has contaminated land up to 25 km north of the road. Although the company that operates the mine has recently made operational changes to reduce releases of "fugitive dust," the releases have not been entirely eliminated and there is no indication that the existing contamination will be remediated. Much of the area between the port and the mine is traditional subsistence hunting and berry-gathering land, and some of the area is embraced within the boundaries of the Cape Krusenstern National Monument. Recommendation: The RMP should include specific criteria, such as truck covers and other best practice standards, to prevent fugitive dust from mines, along transportation corridors that could affect public lands.

8.2.26 Issue 26: Social, Economic (Non-market Values), and Environmental Justice

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1.	Development of a tin resource would provide not only a domestic source of this strategic metal, but also provide local employment in mining, transportation, service and supply sectors.
2.	This may be the first time people are hearing this information. One of the things we can do as the public is to develop our own alternatives and submit them to BLM for consideration. Can we submit Areas of Critical Environmental Concern (ACECs) or Wild and Scenic River designation suggestions? If the Scoping deadline is Jan 17, many of us couldn't put something together by January 17, when would you be willing to take those types of information from us after the scoping comment deadline?
3.	I did not see a Tribal liaison contact or Tribal advisory council on your presentation contacts. Tribes should advise management decisions that would affect subsistence resources and the water resources of subsistence resources. There are 67 western Tribes and 15 central Tribes in your two RMP planning areas. The President came out with [Executive Order] 13175 and Title 8 really recommends Tribal liaisons in this planning aspect. *BLM: All Tribes have been offered the opportunity for Government to Government consultation. Many have taken up the offer. And they can do it at any time too.*
4.	I am a little bit concerned about this process here. I feel like decisions have already been made and there is a plan is in the process of being finalized, but we didn't have a chance to say anything. President Clinton signed EO 13175 and that resulted in a Tribal Consultation Policy. I served on that Board as an alternate. It took 2.5 years to write it. I felt that Alaska was not represented properly. They only put two of us on it; one from Southeast and me, from Southwestern Alaska. It's like I tell someone in Florida how to behave. I felt we should have more input from Alaska; our Tribes should have been better represented. We needed someone from the north, south, west and interior. I just feel like this [RMP] is already a done deal. I feel like the plan is already made. You're doing this because you're required by this order to do it. A lot of people, people in the cities, seem well aware of what is coming. People like us who are on the front lines, it's like we don't have a chance to stand up and be counted. This will affect us, very, very much so.
5.	Many regions of our State have concerns about changes to our lands and waters. I am concerned about what this would do to our traditional ways of life; our migratory routes that we depend upon for feeding our families. Although some of these maps are a thousand miles away from where I live currently, our animals migrate through these areas and it's going to be affecting them. The health and well-being of our Tribal people who will be staying in these areas, surrounded by these changes, will be affected by these changes. It's going to affect whether any efforts to get these minerals. Our animals will be affected by these changes. Any changes to the quality of our air and water will affect our animals. When you take out the minerals, it will put chemicals into our animals which will go into our bodies, our breasts, into our kidneys, into our livers, in to our future generations. That's the most important part about what's going on here today. It's not about putting boxes on a map, it's changing the way that we live in our lands and waters and the animals that we depend upon to feed our families. Some of these other areas have other resources to consider, but some communities don't have a lot of [subsistence] resources so it takes a lot of money to get food from other areas to our areas. You can see from the Yukon how it has been devastated by poor planning efforts and poor management efforts. These concerns are increasing in quantification the further you go from our centralized areas of population into the rural areas. It is impacting our way of life; it is very concerning. We have resolutions throughout the state that support some of the Western Arctic Caribou Herd [working group] recommendations. We have resolutions to protect our Arctic Ocean. We have about 20 so far and we've only been working on it a few months. But the biological diversity of our ocean and the migratory routes of our foods are really important for the health and well-being for future generations. It is the cumulative effects of these types of efforts to change the lands and waters that

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	are causing the most concentrated impacts.
6.	Aniak = highest kilowatt hour costs in the nation
7.	Trapping: has doubled in the village in the last 5-10 years due to declining incomes, too much beaver now, trapped only for personal consumption/use, marten in river valleys, black marten more valuable than red; Chuathbaluk traps for income, Tommy Tom has trapped all the way from Crooked Creek to Flat, Oskowalik; via dog team mushing
8.	(Elder Candy) Mixed feelings on mining - young people need jobs, leaning more towards development; if done right, watched and monitored. The young people today do not have access to the same resources we used to have and they need the income more.
9.	CCTC weighs the pros and cons of development versus non-development. Local hire was the gain and we support development with the condition of local hire. We made very hard choices. We gave up our hunting area in exchange for local hire. They were hard choices but they allow our people to have an income. We just can't fish, hunt, and trap the way we used to and still feed our families.
10.	There used to be a commercial fishery for Chum Salmon roe, the last one was around 1996. No market anymore for chum salmon roe because SE Alaska has the market now. That used to give us some income/employment, but it gave a lot of jobs mostly to the people of Anvik.
11.	The residents are supportive of cell towers on BLM land because they enhance public safety.
12.	Community members are interested in offering guided tours to visitors/tourists to visit a village and learn about rural village life, offer tours of the surroundings, to see wildlife and birds, possibly developing some type of ecotourism that would likely occur on lands close to the village (Native Corporation-owned or Fish and Wildlife Service-owned).
13.	Subsistence residents are penalized by ocean-based commercial fish harvesting, especially by-catch.
14.	Increased climate/weather pressures impacting subsistence species and prices are always increasing for fuel, etc. – makes subsistence difficult
15.	Concern expressed over who benefits from development of natural resources when developed (mining), the companies benefit from the development, not the locals. Even our scenic resources are hurt.
16.	Doyon is one of the thirteen Native regional corporations established by Congress under the terms of ANCSA. Headquartered in Fairbanks, Doyon has more than 18,500 shareholders. Doyon is the largest private landowner in Alaska, with a land entitlement under ANCSA of more than 12.5 million acres. Doyon's lands extend from the Brooks Range in the north to the Alaska Range in the south. The Alaska-Canada border forms the eastern border and the western portion almost reaches the Norton Sound. Doyon's mission is to continually enhance its position as a financially strong Native corporation in order to promote the economic and social well-being of its shareholders and future shareholders, to strengthen its Native way of life, and to protect and enhance its land and resources. In furtherance of this mission, Doyon currently is pursuing several minerals and oil and gas exploration projects in Interior Alaska. If successful, these projects will provide substantial benefits to Doyon and its shareholders, and, by providing new employment opportunities and helping alleviate the energy crisis in Interior Alaska, to all Alaskans. Doyon owns substantial interests in lands in the Bering Sea-Western Interior ("BSWI'') Planning Area, and has selected substantial additional acreage in the Planning Area under ANCSA. More specifically, Doyon holds ownership interest in approximately 2.5 million acres, and has selected an additional approximately 116,000 acres, in the Planning Area. Most of these lands were selected- prior to the enactment of ANILCA and the establishment of conservation system units ("CSUs")- for their economic development potential, consistent with ANCSA's intent. Many large tracts of lands that have been conveyed to Doyon from the United States under ANCSA are now surrounded by CSUs. As a result of this planning process, even more Doyon lands could be surrounded by or adjacent to river segments proposed for Wild and Scenic Rivers Act ("WSRA")

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	designation, lands proposed to be maintained for wilderness characteristics, or Areas of Critical Environmental Concern ("ACEC"). As a result of the location of Doyon's lands and the location of resource exploration and development activity on those lands, Doyon anticipates that it ultimately will need to obtain access across certain CSUs in Alaska pursuant to Title XI of ANILCA and more so in the case of the BSWI Planning Area, across other federal, BLM-managed lands pursuant to ANILCA Section 1323(b). Further enveloping Doyon's lands within Wild and Scenic Rivers, lands to be maintained for wilderness characteristics, and/or ACECs would further complicate access to and use of Doyon lands, and potentially prevent Doyon from fully realizing the economic and other benefits that Congress intended it would enjoy as a result of ANCSA's settlement of aboriginal land claims.
17.	Doyon urges BLM, as it proceeds with the development of the RMP for the BSWI Planning Area, to be mindful of the economic and cultural importance to Doyon and its shareholders of having reasonable access across federal lands in the planning area to Doyon lands in the area. The final plan should not take or recommend any action that could impose new limitations on access to, or use of, Doyon lands. In enacting ANILCA, Congress struck a balance between resource protection and the realization by Alaska Native Corporations of the economic development opportunities that were to be open to them as a fundamental element of ANCSA's settlement of aboriginal land claims. Any attempt by BLM to reset this balance through this planning process, including by in any way impeding access to, and use of, Doyon lands, would be inconsistent with the policies and goals of these critically important statutes. Accordingly, Doyon urges BLM to develop an RMP that does not designate any new Wild and Scenic Rivers, lands to be managed for wilderness characteristics, or ACECs in the vicinity of Doyon landholdings or selections. BLM must ensure that its final plan is fully consistent with its obligations under ANCSA and ANILCA, including with respect to subsistence uses and access to subsistence resources, and that it ensures that Doyon will, throughout the duration of the plan, enjoy reasonable access over lands in the Planning Area to make economic use of its inholdings. Accordingly, the RMP must appropriately address Doyon's and other inholders' rights to access pursuant to Title XI and Section 1323(b) of ANILCA. In addition, the final plan should provide reasonable clarity and certainty for those who own inholdings within the boundaries of the planning area, who require access across federal lands in the Planning Area in order to access those inholdings, and whose planning decisions are dependent upon how the lands in the Planning Area are managed.
18.	Coordination with Tribal Governments If activities under the RMP would affect any cultural or subsistence resources, then the Draft EIS should describe the process and outcome of government-to-government consultation between the BLM and affected tribal government(s), the issues that were raised, if any, and how those issues were addressed. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (November 6, 2000), was issued in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, and to strengthen the U.S. government-to-government relationships with Indian tribes. We also recommend that the BLM work with tribal governments, individual tribal members and other residents to ascertain pertinent traditional knowledge concerning the planning area and resources within the area. We believe that traditional knowledge may be particularly helpful in understanding long-term ecological processes and sensitive resources.
19.	Climate Change Water Resources and Wetlands In addition, with the exception of those necessary for state and ANCSA corporation conveyances, Section 810 of ANILCA imposes procedural restrictions on future dispositions (i.e., leases, permits, withdrawals, etc.) of public lands if such dispositions will effect subsistence.8 If so, the federal agency managing the lands must analyze the effect of the disposition on subsistence and consider alternatives to reduce or eliminate the need for the disposition. If the disposition would “significantly restrict subsistence uses,” then it is prohibited until the agency: 1) gives notice to the state and the affected local committees and regional councils, 2) gives notice and holds a hearing near the lands being disposed of, and 3) determines essentially that restrictions of subsistence is necessary, that the least possible amount of land is affected and that

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	reasonable steps will be taken to lessen adverse effects on subsistence.9 The BLM's NEPA analysis, therefore, should include a full analysis of the agencies trust obligation as directed by ANILCA to file instream flow applications and/or apply federally reserved water rights in order to protect Alaska Native village community's subsistence uses.
20.	Government to Government Relationships FLMPA requires that the BLM (1) coordinate; (2) cooperate; (3) consult; and (4) collaborate with Tribal authorities when making land use decisions. When this is done properly, Tribal authority within a planning region can be honored and fewer disputes evolve during the creation of management plans. If all stakeholders are not involved and the process is disingenuous, then the BLM is in violation of its obligations under law. Coordination with Tribal government means ongoing communication to resolve any inconsistencies between land management (FLPMA section 202 (c)(9)) and allowing ample time for Tribal representatives to comment on BLM management plans (43 CFR 1610.3-1). This means that the BLM must account for the remote nature and unique situations for each Tribal village to allow for delivery and review of planning documents so that meaningful meetings between governments can occur and in depth comments can be created. The BLM must further honor the ongoing efforts of tribes as land stewards to restore and protect their surrounding resources. BLM should identify any and all tribal efforts taking place to develop a Traditional Land Use Plan and should coordinate efforts, share information and avoid conflicts of future management.
21.	Government to Government Relationships Cooperation between governments is the process of working together to create a land use plan (40 CFR 1501.5 and 1501.6). This cooperation should be formalized through an agreement with a true understanding of expectations and outcomes as a result of the relationship. In this way Tribes and the BLM can work together to create goals and objectives for the land in a cooperative and inclusive manner. This will ensure the balance of stakeholder interests such as public recreation, private development, and subsistence, is properly met. Consultation is the formal effort to obtain the 'advice or opinion' of a tribe. This allows the BLM to utilize the local expertise for a planning area (BLM Land Use Planning Handbook H-1601-1). However, all too often consultation meetings become public presentations from government agencies with little two way conversation – leaving a feeling that no one was listened to and nothing good came of the time spent. Ultimately, these interactions, over time lead to great mistrust and disenfranchisement with the system. When comments are submitted by tribal authorities, either at meetings or in writing, they are labeled as non-substantive because they state preference or opinion. This causes further disenfranchisement as some of the most respected members of the community do not even have their voices heard.
22.	Government to Government Relationships Collaboration means working together to find solutions among a diverse range of interests that will have broad support for public lands management. BLM's Land Use Handbook H-1601-1 states that '[c]ollaboration mandates methods, not outcomes; and does not imply that parties will achieve consensus.' Collaborative planning improves relationships, improves understanding of diverse perspectives and finds solutions to problems. This approach should be goal oriented so that common goals and priorities can be identified and inconsistencies amended to develop a plan that everyone can agree upon. During collaboration Alternative Dispute Resolution should be utilized to ensure successful outcomes. Working to resolve even the most difficult conflicts will help improve the reputation of the BLM and foster ownership of the Resource Management Plan.
23.	Traditional Ecological Knowledge Traditional ways of knowing should be utilized throughout the planning process to learn more about the history and traditions of the area, the value of resources, and the observed changes. There is a stigma against non-western ways of knowing and a standard that western science is the only means to document, monitor, and make decisions. Through the course of several RMP processes this is slowly shifting but continues to be a problem in overall

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	planning. We encourage the BLM, particularly in areas such as the Bering Sea Western Interior area where an abundance of Traditional Ecological Knowledge (TEK) exists and little western science exists, to form a hybrid of balanced perspectives with information from both local experts and existing science. The Native people of Alaska are the keepers of great knowledge and understanding. Working with this knowledge system and incorporating practices and information into the Bering Sea Western Interior RMP will help foster stronger working relationships between governments and allow a sense of ownership and genuine participation in the process. The people who live in the villages are the people who will be most impacted by BLM's planning efforts and should have a strong part in management decisions. Alaska National Interest Lands Conservation Act (ANILCA) section 810 mandates that federal agencies ' seek data from, consult with and make use of, the special knowledge of local residents engages in subsistence uses.' The working relationships should extend beyond the creation of the RMP into ongoing management strategies and scenarios – village residents observe the land and changes, are monitors of the environment and dependent upon their surroundings. Hence, ongoing collaborative management relationships will ensure the success of land management actions. Traditional knowledge can help fill the gaps in western science as well as serve as the base for determining future studies.
24.	<u>Place Names</u> The University of Alaska Fairbanks (UAF) is implementing an Alaska Native Place Names Documentation Project.12 This project aims to create a comprehensive record of the indigenous place names of Alaska across all of Alaska's Native languages. The data for this project is housed in a data base that will be searchable through a web based portal. To further incorporate TEK into natural resource management planning, BLM should make a concerted effort to use traditional place names with the common names used for lands, rivers, wildlife and vegetation. By taking the next step to incorporate place based names into planning, BLM is further deepening the knowledge needed to make informed land use management decisions. Recommendation: - Work with tribal governments and local people to learn and use place names in the planning process - Access the UAF Alaska Native Place Names Documentation Project data base to access place name data sets - Include the place names in all documents and maps provided to the public
25.	<u>ANILCA 810 Hearings</u> BLM must develop a clear strategy for conducting 810 hearings. Thus far, 810 hearings have been conducted in conjunction with public scoping meetings. This is an approved practice but the meetings must clearly define objectives for attendees and segment discussions to allow for appropriate use of time and effective information sharing. This may mean establishing agendas that guide discussions and define the desired outcome. To be most effective BLM should consider sending an outline ahead so time and resources can be allocated to organize and gather information to presentation to BLM and start a two way conversation. The right tools must be present for the best possible information to be passed between government representatives. To document observed migration patterns, harvest areas and subsistence resources the BLM must have maps of accurate scale and the suitable working materials for appropriate documentation. An example of a missed opportunity in past BLM planning was during the Chalkyitsik scoping meeting for the Eastern Interior planning effort. Chalkyitsik relies heavily on the resources in the Upper Black River area, where no current management plan exists until the Eastern Interior Record of Decision is issued. Little inventory exists for this planning area. Despite this, the BLM subsistence specialist and author of the subsistence portion of the Eastern

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	Interior RMP was not present at the meeting scoping meeting. Furthermore the maps presented at the meeting were of insufficient scale to gain scoping knowledge that is helpful for planning. We encourage Bering Sea Western Interior Field Office staff to take a more comprehensive approach to working with subsistence users throughout the region and develop a realistic model for information sharing that can be properly incorporated into the plan.
26.	Food Security and Sharing The value of subsistence goes beyond economics: 'these resources are also critical to Native Alaskans' cultural and social identity. A traditional and customary use, and subsistence lifestyle requires an understanding of the intricate web that links humans, animals, and the environment. Alaskan Natives rely on the subsistence lifestyle, but external forces are threatening this way of life. Foreign values such as wage employment, the accumulation of wealth, and the exploitation of natural resources compete with Native values.' (Cheyette, 1997) Changes in the availability of subsistence resources also have a profound impact on the sharing of resources from village to village. Throughout history tribes throughout the Bering Sea Western Interior have established a complex social network of sharing resources. Further impacts to the availability of resources will undoubtedly change the character for these networks and relationship between tribes throughout the region. (Magdanz and Utermohle, 2005)
27.	Health Impact Assessment The rapidly changing environment and way of life in rural villages is cause for concern. Environmental Impacts Statements 'avoid any discussion of community health concerns: social ills (domestic violence, drug and alcohol use, suicide, criminality), mental health problems (depression, anxiety, stress), or issues dealing with dietary change and diabetes (because subsistence resources are less available).' (Lessons Learned, 2008) Certain types of projects and land use changes can cause significant and long term human impacts. Dr. Aaron Wernham has identified five stages to the Health Impact Assessment (HIA) process: 1. Determine through screening if impacts require and HIA. 2. Conduct public scoping meetings and literature review to determine potential health concerns. 3. Use existing data to analyze and define baseline (current) health status and reasonably predict potential health impacts and determine mitigation measures. 4. Write the HIA/ incorporate it into an EIS and present it for public review. 5. Monitor health effects and make and reassess if adjustments are necessary. (Lessons Learned, 2008) There is no statutory requirement for an HIA in NEPA but the integration of important information reflecting social and physical health could improve the process and increase understanding of long term impacts of land management. Dr. Wernham has identified various laws that support the inclusion of HIA. 'NEPA: § Section 2: "The purposes of this Act are: …to promote efforts which will… stimulate the health and welfare of man…" § Section 101: The government must "assure for all Americans safe, healthful… surroundings; attain the widest range of beneficial uses of the environment without… risk to health…" "The Congress recognizes that each person should enjoy a healthful environment…." CEQ Regulations, 40 CFR Part 1508 § Section 1508.8: "Effects includes… health, whether direct, indirect or cumulative." Section 1508.27: "The degree to which the proposed action affects public health or safety" should be considered when evaluating intensity.

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	Executive Orders § E.O. 12898: Environmental Justice in Minority Populations and Low-Income Populations (Presidential Transmittal Memorandum). § E.O. 13045: Protection of Children from Environmental Health Risks and Safety Risks.' (Lessons Learned, 2008) Recommended Resources We would like to recommend the following for review by the BLM planning staff: Health Impact Project: http://www.healthimpactproject.org/ Habitat Health Impact Consulting: http://www.habitatcorp.com/ State of Alaska Epidemiology website: www.epi.alaska.gov/hia/
28.	Environmental Justice Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires that each federal agency consider environmental justice to be part of its mission. Its intent is to promote fair treatment of people of all races, so no person or group of people bears a disproportionate share of the negative effects from the country's domestic and foreign programs. Specific to this planning process, the EO and BLM policy require the BLM to identify and address as appropriate all actions that cause disproportionately high and adverse impacts to Indian Tribes, and minority and low-income populations. There are 24 remote villages and 15 federally recognized Tribes in the planning area. In the Bering Sea Western Interior Pre-Planning document BLM identified potential environmental justice issues that include protection of subsistence resources, protection of and access to historic hunting, fishing, and trapping areas and impacts of land use on subsistence users. Upon review of this document however, the pre-planning document does not explore actions that cause disproportionately high and adverse impacts to Indian Tribes. BLM needs to consider the fragmentation of the land management planning processes among all land managers in the area. Each managing agency within the federal, state and local governments has its own unique process. Each one has its own statutes and rules that people must know to then be able to engage in the planning process in a meaningful way. This is an environmental justice issue that impacts the well-being of community members. All of these planning areas that require multiple meetings with multiple agencies, land managers and developers is an action that causes disproportionately high and adverse impacts. It is a real burden community members to learn all the planning processes, understand the plans, and attend meetings to effectively advocate for themselves. This is too much to ask of for many communities, something the agencies themselves may not be aware of.
29.	Environmental Justice The questions they use to evaluate environmental justice issues include: BLM Planning Questions: 1. What are economic, demographic, and social conditions and trends in the planning area? What changes in economic, demographic, and social conditions and trends are expected to result from planning decisions? 3. If recreation activities and associated facilities change (quantity, character, etc.), what will be the economic benefit or cost? 4. What management schemes (i.e., grazing allotment allocations; the availability of renewable energy resources, etc.) can BLM employ to enhance the economic resiliency and sustainability of the area's mixed economy? 5. How will management of BLM lands affect the economic resiliency and sustainability of the local mixed economy? 6. What are the economic results if land is transferred to the state, and development occurs? 7. What are the environmental justice populations in the planning area and will there be any disproportionally high and adverse effects to these

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	populations? None of these questions evaluate known development projects in the area including proposed roads, mining projects, pipelines, increased barge traffic on the river and increased outside hunter impacts which are the factors most prevalent in causing environmental injustices. Recommendation: - BLM must include current development projects near communities and how those projects impact the ability subsistence users to access subsistence resources, impacts to physical health and impacts to social well-being. - BLM must evaluate possible increases in outside hunter activity with the possibility of new road construction for oil and mining projects. - BLM must evaluate the impacts to communities due to increased traffic from roads constructed for development resources. - Consider how meetings and planning processes of different agencies can be combined and streamlined to reduce the environmental justice burden and facilitate public participation.
30.	Goals for the Kuskokwim River Goal 1: Listen and learn about the concerns for the watershed to identify point and non-point source pollution sites along the river and prioritize these locations for clean-up and remediation. Goal 2: Ensure that the existing sustainable economies of recreation, sport and commercial fishing, subsistence, and hunting are all prioritized for the lands managed under BLM.
31.	The Yukon River The Yukon River is the fourth largest watershed in North America and is of astounding local, national and international significance. (YRITWC, 2002) The Yukon serves as a transportation corridor in a vast area of roadless Alaska. Approximately 126,000 people live in the Yukon River Basin – ten percent of which maintain a subsistence lifestyle. Residents who live along the main stem of the Yukon or its tributaries use the surface water for drinking. (Brabets et al, 2000) Salmon species migrate the entire length of the river to spawn and are a staple of the subsistence lifestyle of rural villages. Many people who fish for subsistence also fish commercially – engraining their livelihood and prosperity into the health of the river. (Barbets et al, 2000) 'Salmon is a resource that has been utilized since time immemorial as a traditional subsistence resource. The people along the Yukon and its tributaries depend on the fisheries for food, social, ceremonial, recreational and economic purposes.' (YRSAHB, 2005) Recreational activities on the Yukon and its tributaries abound for both residents and tourists. (Brabets et al, 2000) Activities such as rafting, fishing, and hunting are supported all along the vast Yukon. Protection for the subsistence, recreation, commercial fishing and sport economies that exist all along the Yukon should be a priority for the BLM's managed lands along the river.
32.	Goals for the Yukon River Goal 1: Listen and learn about the concerns for the watershed to identify point and non-point source pollution sites along the river and prioritize these locations for clean-up and remediation. Goal 2: Ensure that the existing sustainable economies of recreation, sport and commercial fishing, subsistence, and hunting are all prioritized for the lands managed under BLM.
33.	Recommendations for Lands with Wilderness Characteristics: 4) Economic benefits – The recreation opportunities provided by wilderness quality lands also yield direct economic benefits to local communities. According to the U.S. Fish & Wildlife Service, in 2006 State residents and non-residents spent $3.4 billion on wildlife recreation in Alaska. (USFWS 2011, National Survey of Hunting, Fishing and Wildlife-associated Recreation - http://www.census.gov/prod/2013pubs/fhw11-ak.pdf).

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	5) Quality of life – The wildlands located within the vast Bering Sea Western Interior planning area and subunits help to define the character of this area and are an important component of the quality of life for local residents and future generations, providing wilderness values in proximity to growing population centers. Their protection enables the customs and culture of these communities to continue. 6) Balanced use – Areas of BLM lands are open to motorized use and development. FLPMA recognizes that "multiple use" of the public lands requires "a combination of balanced and diverse resource uses" that includes recreation, watershed, wildlife, fish, and natural scenic and historical values (43 U.S.C. § 1702(c)). FLPMA also requires BLM to prepare land use plans that may limit certain uses in some areas (43 U.S.C. § 1712). Many other multiple uses of public lands are compatible with protection of wilderness characteristics – in fact; many uses are enhanced if not dependent on protection of wilderness qualities (such as primitive recreation and wildlife habitat). Protection of wilderness characteristics will benefit many of the other multiple uses of BLM lands, while other more exclusionary uses (such as energy development) will still have adequate opportunities on other BLM lands in the planning area.
34.	Federal Agency Challenges to Government-to-Government Consultation in Alaska • Communicating in Alaska. Alaska is an enormous state with extreme weather, and communities have both overlapping and distinct interests. • Knowing what counts as consultation. Given the complexity of the legal consultation framework, it is not always clear when an activity is part of the consultation process or another element of the engagement framework. • Giving adequate notice. Federal agencies lack a consistent approach to providing consultation notice and lack a consistent process for tribes to initiate consultation with agencies. For example, some agencies use multiple methods to reach out and others mainly use letters to give notice about opportunities to consult. • Ensuring all appropriate parties participate. There is a lack of consistency among agencies as to who participates in consultation meetings, a lack of clarity in federal agencies about who to contact within the tribes, and varying views on the role of tribally-authorized organizations in the consultation process. Exchanging the right information at the right time. Core to effective consultation is information exchange, which can be hampered by form, timing, and content. • Consulting at the right time. Mismatches between subsistence calendars and agency action calendars can lead to agency initiation of consultation when Alaska Native experts are not available to participate. • Establishing a flexible and collaborative process. The consultation process is often viewed as more focused on information sharing rather than collaborative decision-making. • Ensuring accountability and transparency. Agencies often fail to inform communities about how consultation informs decision-making, leading to a lack of transparency and fewer mechanisms to ensure accountability. • Operating with limited capacity and resources. In many instances, both Alaska Native communities and federal agencies lack the capacity, training, and resources needed to effectively engage in robust consultation. • Coordinating consultation. Due to various limitations, agencies rarely work collaboratively across agencies to engage with communities, which can create inefficiency, confusion, and repetitive information sharing. • Establishing trust. Trust is an overarching concern that cuts across other challenges, from communicating effectively to ensuring accountability.
35.	OPTIONS FOR IMPROVING THE PUBLIC PROCESS FOR BLM RESOURCE MANAGEMENT PLANS Public outreach throughout the planning process allows the public to be aware of the planning process and have the opportunity to provide useful

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	information or bring concerns to the bureau's attention. In Alaska, frequently the most knowledgeable regarding the land and the function of the ecosystem are the individuals living in closest proximity in rural communities within the planning area. With this vast roadless region and little western science about much of the planning area, public outreach to planning area residents with traditional ecological knowledge is of critical importance. The Anchorage Field Office has already shown a commitment to encouraging public participation by hosting scoping meetings in the planning area, and we commend BLM on this approach. Extraordinary care is required for scheduling public meetings in rural Alaskan communities. It is imperative, given the expense of agency planning team travel to remote Alaska and in respect for the capacity of the community, that any meeting is scheduled when the community is available. Small and remote Alaskan communities sometimes receive numerous requests for public involvement from state and federal agencies in one month, which in addition to primary subsistence activities, can over-burden even highly- capable communities. In the communities of Eagle and Nulato, meetings were scheduled the same day and time as the community's City Council meeting. In Eagle, there were two BLM meetings scheduled, one for the primarily non-native town which was scheduled at the same time as the City Council meeting and one meeting for the tribe which was scheduled during the Tanana Chiefs Conference. The consequence was the three BLM staff outnumbered the public attendees at both meetings. There was low attendance at some Bering Sea Western Interior scoping meetings. Only 4 local citizens attended the Bethel public meeting even though over 6,000 people live in Bethel. There were seven agency staff in attendance at this meeting.
36.	OPTIONS FOR IMPROVING THE PUBLIC PROCESS FOR BLM RESOURCE MANAGEMENT PLANS Recommendation on Avoiding Meeting Scheduling Conflict: We suggest BLM's meeting organizers for rural Alaskan communities use a simple check-list to prevent conflicts with other major community events and inform the community about the meeting. If a meeting conflict is unavoidable, consider a presentation at the established community meeting. Meeting organizers may wish to check conflicts with community meetings or arrange to make presentations at established gatherings: • City Council Meetings; • Major School Events; • Tribal Council Meetings; • Other Significant Community Events; • Alaska Federation of Natives Conference; • Tanana Chiefs Conference; • Association of Village Council Presidents; and • Bureau of Indian Affairs Providers Conference. Community members are only able to attend meetings if they are made aware of the opportunity. Effective posting of meeting notices is of paramount importance and should include: • Post Office; • School Principal & Teachers; • Village Tribal Office and Tribal Corporation Office; • Store & Gas Station; • Local Radio; • Local Television Scanner Channel; and • Phone calls to community leaders.

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37.	OPTIONS FOR IMPROVING THE PUBLIC PROCESS FOR BLM RESOURCE MANAGEMENT PLANS Recommendations on Outreach to Accommodate Learning Styles: • Provide opportunities for informal learning about the draft plan including each alternative's potential effects on subsistence resources in rural communities the day before holding a public hearing. • Consider Learning Styles. Employ several different communication methods. Not everyone communicates best with written information, some communicate best with verbal or visual information as in maps. • Maps. Good maps are essential for resource management planning and the scale matters. For residents of a remote rural village, showing a map that depicts an area the size of the state of Maine isn't constructive. We commend the bureau for providing community-scale maps showing 40-50 miles circumference from the community with known travel-ways during scoping. Additional information for future maps may include topographic information and additional place names. Recommendations on Rural Community Outreach: We suggest the bureau downsize its travel team and stay longer in communities to maximize communication. Rather than appearing in a community for a one-time 2 to 3 hour period, multiple-day trips with informal focus-group meetings or presentations at established community meetings are suggested in rural communities. The bureau could send two staff on a regularly scheduled commercial airline to a rural community for a two-night stay. For more formal evening public meetings, agency staff could connect additional bureau officials by phone to provide the same detailed information at the meeting as would be available with a larger in-person staff contingent. We believe this outreach scheme could be accomplished at or below the current cost of a chartered aircraft carrying 6+ bureau staff. In a two-night stay, bureau staff could visit tribe, school and other agency offices to gain input in a focus group setting or to inform about the scheduled evening planning meeting. Accomplishing separate two-day trips to each community would decrease the pressure to have a community meeting at an inconvenient time for the community but a convenient time for the chartered aircraft schedule.
38.	Quality of Life The undeveloped lands located within the Bering Sea Western Interior planning area help to define the character of this area and are an important component of the quality of life for local residents and future generations, providing unparalleled wilderness. Their protection enables the customs and cultures of these communities to sustain. Recommendation: Inventory and publicly disclose the location, qualities, and decision rationale for the management of lands with wilderness characteristics prior to publication of the Draft Resource Management Plan. Recommendation: Provide a range of alternatives regarding the protection of lands with wilderness characteristics, including an alternative that protects all identified lands. Recommendation: For lands chosen for protection of wilderness characteristics, apply strong management prescriptions that will retain wilderness qualities, such as those outlined above.
39.	SOCIOECONOMIC ANALYSIS The analysis of the socio-economic impacts of RMP prescriptions must be thoroughly and accurately done in order to responsibly manage public lands. We recommend that the BLM use a total economic value approach that includes the estimation of non-market values for the lands with wilderness characteristics and open spaces in the planning area. BLM recently affirmed its commitment to this approach in draft IM 2010-061, which explicitly directs managers to evaluate non-market values in RMP analyses. The total economic value analysis should include the full range of non-market values,

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	including use values – such as subsistence and recreation – as well as non-use values such as existence value (the benefit one gains just knowing lands with wilderness characteristics are protected), option values (the benefit of knowing that one can visit lands with wilderness characteristics for recreation) and bequest values (the benefit gained from knowing that lands with wilderness characteristics are protected for future generations). The analysis in the RMP must include an assessment of these hidden costs in order to describe net (rather than gross) benefits of any proposed such development. The benefits that flow from protected lands, especially lands in the Bering Sea Western Interior withdrawn from development under ANCSA D-1, are now also important socio-economic drivers in many rural areas. The BLM should analyze the benefits to the local communities from management which ensures that the area's habitat and subsistence values are protected, such as through special administrative and Congressional designations, and that the important economic role that protected public lands play in the local subsistence or cash economy is continued or enhanced.
40.	SOCIOECONOMIC ANALYSIS One of the most important purposes of public lands, including BLM lands, is the provision of non-market public goods such as opportunities for solitude, outdoor recreation, clean air, clean water, biodiversity, the preservation of wilderness and other undeveloped areas that would be underprovided if left entirely to market forces .57 FLPMA specifically incorporates such non-market resources as "the long-term needs of future generations" for recreation and "natural scenic, scientific and historical values" into the BLM's multiple use mandate. FLPMA further defines multiple use as requiring the agency to encompass non-market values into management, directing the BLM to achieve: harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.58 (emphasis added). Protected public lands perform natural services worth billions of dollars. These lands provide – free of charge – a host of "ecosystem services," including air and water filtration, climate regulation, pest control, and seed dispersal. Based on a recent study by The Wilderness Society and The Gund Institute for Ecological Economics, the ecosystem service output of all US federal conservation lands is worth at least $242 billion per year.59 Another study considers just some of these values and finds "the annual economic benefit from watershed protection, carbon storage for climate regulation, and nutrient cycling for waste treatment is estimated to be between $2 billion and $3.5 billion". 60 Recommendation: The forthcoming RMP should evaluate non-market values provided by lands with wilderness characteristics, per BLM's commitment set out in draft IM 2010-061. BLM should provide a socioeconomic analysis and ensure a full accounting of the costs and benefits of each of the alternatives. The values of protected lands and the hidden costs associated with development should be incorporated into economic analysis.
41.	There is a long history of the uncommon value relative to the outstanding wildland habitats, view-sheds and the incredible wildlife populations within this region. Large industry developments should not jeopardize these exceptional natural attributes and this EIS has to provide true base line protection for these outstanding natural characteristics. These incredible wildlife populations and their given habitats have long provided great benefit to subsistence hunters, resident hunters, professional guides, photographers, eco-tourism and many related aspects of each to the local people and communities affected by this proposed development, not only in food but in important and longtime sustainable economy as well. This planning process must therefore work to protect these ways of life. This way of life has required a deeply seated conservation basis for viability and sustainability which could be lost by large industrial developments within this region. It is not right to have to forfeit one way of life for another. The EIS must work to truly protect these long term and sustainable businesses and the people who have had the entrepreneurship spirit to develop and manage them. With prudent wildlife and industry stewardship which are sustainable, the professional guide industry, which has existed for over seventy years prior to

Appendix B Table 26 Issue 26 Socioeconomics and Environmental Justice	
	can easily be sustained for centuries. The EIS should work to protect this provision for Alaska and the people the world over who want to see, enjoy and experience true wilderness and a true wilderness hunting experience. Therefore, it is very important to build the impact of large industry to allow for both. In my opinion, the EIS scoping if truly done properly can provide for both. The compromise of our way of life or industry for another does not need to happen for all to have the conservation basis needed for successful long term sustainability. The EIS process can help provide for both by carefully exploring the former comments and those that follow here.
42.	The region surrounding Georgetown and the middle Kuskokwim River is a very pristine area, which has not seen a lot of development in the past. Georgetown supports economic development, as long as it is done in an environmentally responsible way. Things like mining and right of way corridors (pipelines, roads) disrupt the natural state of the environment, and should be limited and allowed only after careful consideration of all environmental and social impacts from such projects (including, but not limited to, consideration of subsistence harvest areas, culturally sensitive areas, and native allotments).
43.	<u>E. Environmental Justice considerations under E.O. 12898.</u> Healthy Yukon River salmon stocks are of vital importance to the primarily Native Alaskan communities who depend on salmon for their sustenance and their livelihoods. Harm to the salmon stocks because of increased mineral development and other changes in use places a disproportionately high burden on these communities because of the central importance of this resource to Native Alaskan communities. Under Executive Order 12898, federal agencies are required to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions.”3 Under this Executive Order, which has been interpreted as evidence of the government’s heightened responsibility toward protecting the resources that these communities and cultures have historically depended upon,4 the BLM should analyze the disparate impacts placed on Alaska Native communities in the Yukon River as a result of changes to salmon populations, subsistence and commercial fisheries and access to subsistence resources.

8.2.27 Issue 27: Public Safety and Hazardous Materials

Appendix B Table 27 Issue 27 Abandoned Mine Lands and Hazardous Materials	
1.	Concern was expressed about mercury in the Kuskokwim River
2.	The proposed road between the Yukon and Kuskokwim Rivers would have an associated pipeline to transfer heating fuel, concern expressed over the hazards of fuel transport. Hazards associated with above-ground pipeline (vandalism)
3.	Abandoned mines; cinnabar, quicksilver, gold, arsenic in water
4.	Old CAT trail up to Stuyahok Mine that goes from the landing on the river, across some Native Corporation land, FWS land, then over BLM and BLM state-selected lands to the mine site. o There are gas tanks on the landing near the river with no containment and they are leaking (likely on Native Corp or FWS lands).
5.	We have problems with the sunken barge there. The barge was delivering materials back in the 1920's to Stuyahok and it sunk (up Mountain Creek). It is a safety hazard. Boaters hit the sunken barge in lower water and ruin their boats.
6.	Emergency Response The planning area includes areas which may contain leasable resources including oil and gas, and contains known locatable resources (minerals). Activities involving the development of these resources may increase the likelihood of unintentional discharges of oil, gas and other hazardous substances. EPA is a co-chair of the Alaska Region Response Team and serves as the Federal On-Scene Coordinator for oil spill and hazard material releases to inland waters. EPA also prepares, in conjunction with the U.S. Coast Guard, the State of Alaska and other stakeholders, sub-area contingency plans for all inland and coastal zones in Alaska. The Western Alaska Contingency Plan is the sub-area plan covering most of the Bering Sea-Western Interior planning area. These plans supplement the Alaska Federal/State Preparedness Plan for Response to Oil & Hazardous Substance Discharges/Releases, also known as the Unified Plan, as required by the Oil Pollution Act of 1990.

8.3 APPENDIX C LIST OF COMMENTERS

Appendix C Table 1
LIST OF COMMENTERS

Commenter ID	Pertinent Planning Area Location	Comment Format
1	Unalakleet	letter
2	Unalakleet	public meeting comment sheet
3	Unalakleet	public meeting comment sheet
4	McGrath	letter
5	Anchorage Mtg	community meeting summary
6	Anchorage Mtg	community meeting summary
7	Anchorage Mtg	community meeting summary
8	Anchorage Mtg	community meeting summary
9	Anchorage Mtg	community meeting summary
10	Anchorage Mtg	community meeting summary
11	Anchorage Mtg	community meeting summary
12	Anchorage Mtg	community meeting summary
13	Anchorage Mtg	community meeting summary
14	Anchorage Mtg	community meeting summary
15	Anchorage Mtg	community meeting summary
16	Anchorage Mtg	community meeting summary
17	Aniak Mtg	community meeting summary
18	Bethel Mtg	community meeting summary
19	Stebbins	Phone call
20	ENTIRE	email
21	Chuathbaluk	community meeting summary
22	Crooked Creek	community meeting summary
23	Grayling	community meeting summary
24	Holy Cross	community meeting summary
25	Lower Kalskag	community meeting summary
26	Russian Mission	community meeting summary
27	Unalakleet	community meeting summary
28	McGrath	community meeting summary
29	McGrath	public meeting comment sheet
30	Eek	fax
31	ENTIRE	email

Appendix C Table 1 LIST OF COMMENTERS		
32	Lake Clark NP Area	email
33	ENTIRE	letter
34	Toksook Bay	Phone call
35	Anchorage	email
36	Anvik	community meeting summary
37	ENTIRE	letter
38	ENTIRE	email
39	ENTIRE	email
40-1	Form Letter	38 signatures (only, no additional comments) on main form letter
40-2	Form Letter	comment in addition to signature
40-3	Form Letter	comment in addition to signature
40-4	Form Letter	comment in addition to signature
40-5	Form Letter	comment in addition to signature
40-6	Form Letter	comment in addition to signature
40-7	Form Letter	comment in addition to signature
40-8	Form Letter	comment in addition to signature
40-9	Form Letter	comment in addition to signature
40-10	Form Letter	comment in addition to signature
40-11	Form Letter	comment in addition to signature
40-12	Form Letter	comment in addition to signature
40-13	Form Letter	comment in addition to signature
40-14	Form Letter	comment in addition to signature
40-15	Form Letter	comment in addition to signature
40-16	Form Letter	comment in addition to signature
40-17	Form Letter	comment in addition to signature
40-18	Form Letter	comment in addition to signature
40-19	Form Letter	comment in addition to signature
40-20	Form Letter	comment in addition to signature
40-21	Form Letter	comment in addition to signature
40-22	Form Letter	comment in addition to signature
40-23	Form Letter	comment in addition to signature
41	ENTIRE	email
42	ENTIRE	email
43	ENTIRE	email
44	Georgetown	email

Appendix C Table 1 LIST OF COMMENTERS		
45	Yukon River	email
46	ENTIRE	email
47	ENTIRE	email
48	Kuskokwim River	email
49	ENTIRE	email