



U.S. Department of the Interior
Bureau of Land Management

ANCSA 17 (d)(1) Withdrawals Environmental Impact Statement

Public Scoping Report

December 2022

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U.S. Department of the Interior
Bureau of Land Management

NEPA Number: DOI-BLM-AK-0000-2022-0003-EIS

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ACRONYMS AND ABBREVIATIONS

Full Phrase

ACEC	area of critical environmental concern
ALTAA	Alaska Land Transfer Acceleration Act
ANC	Alaska Native corporation
ANCSA	Alaska Native Claims Settlement Act
ANILCA	Alaska National Interest Lands Conservation Act
BLM	United States Department of the Interior, Bureau of Land Management
CARA	Comment Analysis and Response Application
CFR	Code of Federal Regulations
Dingell Act	John D. Dingell Jr. Conservation, Management, and Recreation Act
DOI	Department of the Interior
EIS	environmental impact statement
ESA	Endangered Species Act
FLPMA	Federal Land Policy and Management Act
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOI	Notice of Intent
PLO	Public Land Order
RMP	resource management plan
ROD	record of decision
US	United States
USGS	United States Geological Survey

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Chapter 1. Introduction

1.1 BACKGROUND

The United States (US) Department of the Interior (DOI), Bureau of Land Management (BLM) Alaska State Office is preparing an environmental impact statement (EIS) to consider the effects of opening lands subject to the Alaska Native Claims Settlement Act (ANCSA) 17(d)(1) withdrawals within Public Land Orders (PLOs) 7899 through 7903. The EIS will allow the DOI to address identified deficiencies in the National Environmental Policy Act (NEPA) analysis, as described in the April 16, 2021, *Federal Register* notice (86 *Federal Register* 20193).

PLO 7899, which would revoke withdrawals on lands in the Kobuk-Seward Peninsula planning area, was signed on January 11, 2021, and published in the *Federal Register* on January 19, 2021 (86 *Federal Register* 5236). PLOs 7900, 7901, 7902, and 7903, which would revoke withdrawals on lands in the Ring of Fire, Bay, Bering Sea-Western Interior, and East Alaska planning areas, respectively, were signed on January 15 and 16, 2021; however, they were never published in the *Federal Register*. The DOI extended the opening order for PLO 7899 by 60 days on February 18, 2021, to provide an opportunity to review the decisions and to ensure the orderly management of the public lands (86 *Federal Register* 10131).

Subsequently, the DOI identified certain procedural and legal defects in the decision-making process for PLOs 7899, 7900, 7901, 7902, and 7903, including an insufficient analysis under NEPA; failure to follow Section 106 of the National Historic Preservation Act (NHPA); possible failure to adequately evaluate impacts under Section 7 of the Endangered Species Act (ESA); failure to secure consent from the Department of Defense with regard to lands under Department of Defense administration, as required by Section 204(i) of the Federal Land Policy and Management Act (FLPMA; 43 US Code 1714(i)); failure to adequately analyze potential impacts on subsistence hunting and fishing; and reliance on potentially outdated data in the EISs prepared in 2006 and 2007.

The BLM published a notice of intent in the *Federal Register* on August 18, 2022, announcing a 60-day public scoping period to solicit public comments and to identify issues for the EIS (see **Appendix A**). The comment period ended on October 19, 2022. This report describes the scoping process and summarizes only the comments received during the 60-day comment period.

1.2 PURPOSE OF THE PUBLIC SCOPING PROCESS

The purpose of this public scoping process is to determine the scope of issues to be addressed and to identify the significant issues. Information received during this process will influence the development of the EIS and guide the scope of the environmental analysis. The BLM will work collaboratively with interested parties to identify the management decisions best suited to local and regional needs and concerns.

1.3 OVERVIEW OF THE SCOPING PROCESS AND SCOPING REPORT

Public involvement is a vital and legally required component of the NEPA process. It vests the public in the decision-making process and allows for full environmental disclosure. Guidance for implementing public involvement under NEPA is codified in 40 Code of Federal Regulations (CFR) 1506.6.

Scoping is an open and early step in the NEPA process that helps the BLM to determine the scope of issues to be addressed and to identify significant issues related to the proposed action. Information collected during scoping may also be used to develop the alternatives to be analyzed in a NEPA document.

In accordance with the BLM NEPA Handbook, Section 9.1.3 (BLM 2008), the BLM must document the public scoping results. This scoping report summarizes the scoping process and the comments received during the formal scoping period, including those provided during public scoping meetings.

1.4 DESCRIPTION OF THE SCOPING PROCESS

As required by NEPA and its public involvement guidance, the BLM solicited comments from relevant agencies and the public; then, the BLM organized and analyzed all comments received. The BLM then evaluated the position statement of each comment and extracted the overarching issues for the BLM to address during the NEPA process. These issues define the scope of analysis for the EIS and are used to develop alternatives to the proposed action.

1.4.1 Scoping

As defined under NEPA, the scoping period began with the publication of the notice of intent in the *Federal Register* on August 18, 2022 (**Appendix A**). During the scoping period, the BLM sought public comments to determine relevant issues that could influence the scope of the environmental analysis, including alternatives, and to guide the process for developing the EIS.

The official comment period ended on October 19, 2022. This report summarizes and presents the comments received or postmarked by this date. To the extent practicable, the BLM will consider comments received past this date during the development of the EIS, but late comments were not summarized in this report.

The BLM maintains a project website with information related to the development of the EIS: <https://eplanning.blm.gov/eplanning-ui/project/2018002/510>. The website includes background documents and maps, information on public meetings, and contact information.

1.4.2 Public Scoping Meetings

The BLM held three virtual public scoping meetings during the scoping period (**Table 1-1**). The meeting times shown in **Table 1-1** are in Alaska daylight time.

Table 1-1
EIS Scoping Meetings

Date	Time	Venue
September 22, 2022	5:30 p.m.	Zoom virtual meeting
September 26, 2022	1:30 p.m.	Zoom virtual meeting
October 4, 2022	5:30 p.m.	Zoom virtual meeting

Each scoping meeting began with a presentation by the BLM describing the background and purposes of the EIS, the project schedule, and further public involvement opportunities (**Appendix B**). Following the presentation, the meetings transitioned into a public comment format, where attendees could provide their thoughts on the EIS and the planning process.

1.5 METHOD OF COMMENT COLLECTION AND ANALYSIS

All written submissions received on or before October 19, 2022, were evaluated and are considered in this scoping summary report. This report provides an overall summary of the types of comments received related to each issue.

The BLM received 80 unique comment submissions during the public scoping period; the submissions varied in the number of substantive comments extracted from the submissions. Overall, 276 substantive

comments were identified using the Comment Analysis and Response Application (CARA), an ePlanning software of the BLM.

To ensure that public comments were properly registered and that none were overlooked, the BLM used a multiphase management and tracking system. Written submissions were given a unique identifier and were logged into the BLM's CARA database. Each submission was then reviewed, and individual substantive comments were extracted. Each comment was assigned to one of the following two categories:

1. Substantive comments related specifically to the ANCSA 17(d)(1) Withdrawals EIS
2. Comments that were non-substantive

All comments in the first category were further classified by commenter affiliation, geographical area, process category, and issue category, as described in **Chapter 2**, Comment Summary. The BLM then entered the substantive comments into the CARA database for analysis (**Appendix C**). The results of the comment analysis are summarized in **Chapter 2**.

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Chapter 2. Comment Summary

2.1 SUMMARY OF PUBLIC COMMENTS RECEIVED

2.1.1 Commenters by Affiliation

The BLM categorized all submissions received by the commenter’s affiliation. **Table 2-1** shows the number and proportion of commenters by affiliation. Letters written on business, agency, or organization letterhead or letters where the commenter signed using an official agency title were considered to represent that organization or agency; all other letters were considered to represent individuals. In addition, some commenters made multiple submissions, and some letters had more than one signatory.

**Table 2-1
Unique Submissions by Affiliation**

Affiliation	Number of Commenters*	Percentage of Unique Submissions*
Government (federal, state, tribal, and local)	9	11
Organizations (businesses and nonprofits)	19	24
Individuals	52	65
Total	80	100

*Calculations do not include form letters. All numbers are approximate.

In addition to unique submissions, there were multiple form letter campaigns sponsored by nonprofit organizations and individuals. Letters that represented slight variations of the form letter without additional substantive comments were treated as form letters. Form letter submissions containing additional substantive comments were categorized as unique submissions. In total, the BLM received 1,673 form letter submissions and 6,369 petition signatures, based on three different form letter or petition campaigns.

Analyzing identical submissions as a group did not reduce the comment’s importance. The NEPA regulations on public comments are clear that the public involvement process is not a vote; rather, it is an opportunity to determine the scope and the significant issues to be analyzed in depth in the EIS, as well as to “identify and eliminate from detailed study the issues that are not significant or have been covered by prior environmental review(s)” (40 CFR 1501.9).

2.1.2 Number of Substantive Comments by Issue Category

Table 2-2 shows the number and proportion of substantive comments received by issue category. The 276 substantive comments were categorized into 36 issue categories. **Chapter 3**, Issue Statements and Comment Summaries, provides a detailed analysis of the comments received for each issue category.

**Table 2-2
Number of Substantive Comments by Issue Category**

Issue Category	Number of Substantive Comments*	Percentage of Total Comments*
NEPA	31	11.2
Public outreach	4	1.5
Cooperating agency relationships	6	2.2
Purpose and need	4	1.5
Range of alternatives	11	4.0
Direct and indirect impacts	4	1.5

Issue Category	Number of Substantive Comments*	Percentage of Total Comments*
Cumulative impacts	1	<1
Agency consultation	10	3.6
Government-to-government consultation	18	6.5
ANCSA consultation	7	2.5
Alaska National Interest Lands Conservation Act (ANILCA)	6	2.2
17(d)(1) withdrawals (including other withdrawals overlapping planning areas)	12	4.4
PLO 7899: Kobuk-Seward Peninsula planning area	2	<1
PLO 7900: Ring of Fire planning area	4	1.5
PLO 7901: Bay planning area	2	<1
PLO 7902: Bering Sea-Western Interior planning area	9	3.3
PLO 7903: East Alaska planning area	6	2.2
FLPMA	2	<1
Other laws	13	4.7
Mitigation	1	<1
Monitoring	1	<1
Physical environment	4	1.5
Climate and meteorology	31	11.2
Air quality	1	<1
Geology and minerals	6	2.2
Water resources	1	<1
Biological resources	8	2.9
Fish and aquatic species	4	1.5
Terrestrial mammals	4	1.5
Landownership and use	10	3.6
Cultural resources	7	2.5
Subsistence uses and resources	28	10.2
Environmental justice	9	3.3
Special designations	4	1.5
Economy	4	1.5
Public health and safety	1	<1
Total	276	100

*All numbers are approximate.

< = less than

Chapter 3. Issue Statements and Comment Summaries

For a NEPA analysis, an issue is a point of disagreement, debate, or dispute with a proposed action, based on an anticipated environmental effect. An issue is more than just a position statement, such as disagreement with development on BLM-administered lands. The BLM will use the issues and other information collected during scoping to help formulate a reasonable range of alternatives that will be analyzed in the EIS.

The issue statements presented below are preliminary and are based on comment submissions received during the scoping period. For each issue, the BLM has developed a summary of the comments received.

The process of developing this EIS will afford opportunities for collaboration with local, state, federal, and tribal governments; land management agencies; public interest groups; public land users; and other stakeholders. As a result of ongoing collaboration, the below issues and concerns may be updated and supplemented to accurately reflect public comments and concerns during the development of the EIS.

3.1 BEST AVAILABLE INFORMATION AND BASELINE DATA

A commenter provided suggested best available science and information literature for the BLM to consider while preparing the EIS. The full citations of these references are provided in **Appendix D**.

3.2 NEPA

Issue: How site specific will the NEPA analysis be?

Comment Summary

Commenters expressed concerns about the scale of the EIS, which will span 28 million acres and five different management planning areas. Because of this, commenters argued that the EIS cannot realistically assess the many site-specific considerations that would be necessary to determine whether to revoke any individual withdrawal. Commenters suggested that the EIS should mainly address a large-scale, landscape-level analysis and answer the planning questions related to whether the withdrawals serve the public interest. Site-specific decisions can be undertaken through separate NEPA analyses that could tier to this EIS. One commenter recommended that the analysis be divided into several project areas to provide a more meaningful analysis.

Issue: What will this EIS achieve that was not previously determined in previous resource management plans (RMPs) and the associated EISs?

Comment Summary

Commenters noted that the BLM had previously completed NEPA analyses for the five RMPs and had recommended revoking the withdrawals in the 2006 Section 207 Report. Thus, commenters argued that there is no need for an additional NEPA analysis. Commenters stated that the purported defects in previous environmental analyses are inconsequential and irrelevant to the execution of the existing PLOs and that this new EIS is unnecessary.

Commenters also pointed to the Alaska Native Vietnam-era Veterans Land Allotment Program under Section 1119 of the John D. Dingell Jr. Conservation, Management, and Recreation Act of 2019 (Dingell Act). From this program, the BLM opened land to allotment selection following an environmental

assessment and finding of no significant impact. Because selections are allowed within the withdrawal areas, commenters questioned why another environmental analysis is necessary. Multiple commenters requested clarity about what the BLM means by “insufficient analysis under NEPA,” when there are multiple EISs and environmental assessments covering the planning areas.

Other commenters disagreed that this EIS is unnecessary, stating that the previous EISs are out of date and lack a proper analysis. Commenters identified potential impacts they believed were insufficiently analyzed; these impacts were from removing D-1 withdrawals on subsistence resources and impacts from climate change on all resources. Therefore, this updated assessment will correct those inadequacies. Additionally, one commenter argued that the D-1 protections should remain in place and be carried forward into all future NEPA actions managed under each RMP.

Issue: How will the BLM address PLOs 7899–7903 and related 17(d)(1) withdrawals in the NEPA process?

Comment Summary

Some commenters asserted that these PLOs were unlawfully issued, as they were created without public input or tribal consultation, and they relied on an outdated NEPA analysis. These commenters stated that the Secretary of the Interior has the authority to reverse actions of a predecessor that would affect the status of public lands, and multiple commenters urged the Secretary to take action to rescind the PLOs.

Other commenters argued that the PLOs vindicate and advance the rights of the State created in the Alaska Statehood Compact and the rights of the public to use and enjoy these lands. They believed that the BLM should proceed with the PLOs rather than slow the process down with an additional NEPA analysis.

Another commenter recommended that the BLM explain the process for determining whether a tiered NEPA analysis would be triggered for future activities, such as mining exploration.

Issue: Will the BLM utilize the rationale stated in the 2006 BLM Section 207 Report?

Comment Summary

Commenters questioned the adequacy of the 2006 Section 207 Report that the BLM provided to Congress to decide whether the D-1 withdrawals have served their purpose and should be lifted. One commenter examined each piece of rationale that the BLM used to back the argument for revoking the withdrawals. For each rationale, the commenter found reasons to be dubious. In general, the commenter argued that the rationale given by the BLM in support of its public interest determination is general; omits important factors, including impacts on subsistence resources and climate change; and relies on a number of irrelevant factors with limited analyses of site-specific resources that may be impacted from lifting the withdrawals. The commenter requested that the BLM acknowledge the inability of the Section 207 Report to support its own conclusions as the BLM proceeds in the EIS process.

Another commenter suggested that the D-1 withdrawals have outlived their original purpose. The commenter stated that 95 percent of the withdrawals could be lifted consistent with the protection of the public interest, as concluded in the Section 207 Report; the BLM should lift the withdrawals rather than continuing to extend the time line with another multiyear NEPA analysis.

3.3 PUBLIC OUTREACH

Issue: How will the BLM ensure proper notice of public input opportunities and the accessibility of complex EIS planning documents for an effort that covers such a vast area?

Comment Summary

Commenters were concerned that the public input process for this EIS has been inadequate; they stated that those who have valuable opinions to share were unaware of previous public engagement opportunities. Other concerns included internet access for both virtual meetings and for downloading the EIS planning documents. One commenter noted that it is imperative to supply communities, especially those with limited internet access, with hard copies of planning documents so that more people can review them. Commenters requested that there be more in-person meetings and presentations to communities, and that the BLM do more to reach those likely to be impacted. Commenters noted that because the scale of the EIS is so large, it likely will be complex and affect a wide range of people; therefore, commenters suggested that the public outreach strategies should be commensurate with the project's scale.

3.4 COOPERATING AGENCY RELATIONSHIPS

Issue: How with the BLM include local tribes as cooperating agencies?

Comment Summary

Multiple commenters requested that tribes be given a meaningful opportunity to participate as cooperating agencies, separate from just government-to-government consultation. Commenters noted that in other BLM initiatives, tribes have been left out of cooperating agency participation; this EIS is an opportunity to allow for greater cooperation and tribal input in the development of alternatives.

The following organizations and tribal entities requested to participate as cooperating agencies during the preparation of the EIS:

- Bering Sea-Interior Tribal Commission
- Deloy Ges, Inc.
- Doyon, Limited
- Tanana Chiefs Conference

3.5 PURPOSE AND NEED

Issue: What is the purpose of and need for this EIS?

Comment Summary

Commenters requested that the BLM clearly state this EIS's purpose and need and what the BLM hopes to achieve. Commenters stated that a properly defined and legally adequate purpose and need statement is critical to producing a reasonable range of alternatives.

One commenter also noted that Alaska Native's subsistence and community sustainability should be a fundamental part of the purpose and need statement, and that protecting the traditional human environment is as important as preserving the natural one.

3.6 RANGE OF ALTERNATIVES

Issue: How will the BLM develop a range of alternatives?

Comment Summary

Commenters were concerned about how the BLM will develop a range of alternatives for this EIS. Multiple commenters recommended that the BLM include and engage affected tribes in the alternatives development.

One commenter suggested that the BLM initiate the NHPA Section 106 process early so that the Section 106 process can inform the range of alternatives. Commenters requested that the range of reasonable alternatives meet the stated purpose for the project and follow a defined criterion; the commenters also requested that the BLM explain and justify the removal of considered alternatives that are eliminated from analysis in the EIS.

Issue: What alternatives will the BLM consider including in the range of alternatives?

Comment Summary

Commenters questioned what alternatives may be included in the EIS. They provided suggestions for what alternatives, or components of alternatives, they would like considered. These suggestions included:

- A tribal alternative that integrates traditional knowledge, demographics, socioeconomics, health impacts, and historic and contemporary use areas, among all affected Alaska Native communities. One commenter recommended establishing co-management agreements between the BLM and tribal governments.
- An alternative that rescinds PLOs 7899–7903, retains all of the Section 17(d)(1) withdrawals, and keeps the majority of land in federal protected status outside of conveyances of personal Native allotments.
- An alternative that improves access to public lands for individuals, businesses, and community development.
- An alternative that focuses on supporting climate resilience, adaptation, and mitigation, as well as the impacts of any likely future development on these goals.
- A no-action alternative, though commenters were divided on what “no action” means. Some commenters considered retaining the D-1 protections as “no action,” while others understood it to mean that the issued PLOs (7899–7903) would go into effect.

Other commenters requested that the BLM analyze all alternatives through the lens of potential impacts on future legal land conveyances; the goals set by federal directives, such as the America the Beautiful Initiative; and local communities and traditional land uses.

3.7 DIRECT AND INDIRECT IMPACTS

Issue: How will the BLM analyze direct and indirect impacts in the EIS?

Comment Summary

Commenters requested that the BLM analyze the numerous impacts, both direct and indirect, of removing D-1 withdrawal protections from the 28 million acres under review. Specific topics of interest included impacts of industrial development on fish and wildlife habitat, recreational and subsistence hunting and fishing, tourism, climate resilience, and the livelihood of Alaska Native communities. Commenters also recommended that the EIS fully describe the environments that the alternatives considered would affect, and focus on resources, ecosystems, and communities that are at risk.

3.8 CUMULATIVE IMPACTS

Issue: How will the BLM analyze cumulative impacts in the EIS?

Comment Summary

One commenter identified that there is a wide range of ownership and management responsibilities of public and private lands in Alaska, which can lead to exceedingly complex compounding impacts. The commenter requested the EIS analyze the impacts of reasonably foreseeable future uses on all lands, combined with

both past and present uses. Considering how these impacts stack up will allow the EIS to analyze the full consequence of the potential effects of likely future development.

3.9 AGENCY CONSULTATION

Issue: In developing this EIS, what agencies will the BLM consult?

Comment Summary

Commenters suggested a range of agencies that the BLM should consult for this NEPA process. Multiple commenters noted that if the BLM engages in Section 106 consultation and analysis, the BLM must consult with the State Office of History and Archaeology, the State Historic Preservation Officer, and affected Alaska Native communities. Early engagement of tribal governments will benefit the development of the EIS and range of alternatives, allowing cultural resources and traditional knowledge to be included in the draft EIS phase.

NANA Regional Corporation, Inc., an Alaska Native corporation (ANC), also provided a comment stating that they expect to consult on any aspect of the EIS that may have substantial direct effects on their lands, water areas, and resources.

Other commenters stated that consulting with the Department of Defense is unnecessary in this process, despite the BLM citing this as one of the legal defects in the decision-making process for issuing PLOs 7899–7903. The commenters stated that the BLM is not proposing to modify or revoke any Department of Defense withdrawal; thus, the BLM does not have a requirement to consult with the Department of Defense or secure consent in this situation.

One commenter suggested that former President Jimmy Carter be included in discussions since he was involved in protecting parts of the lands in question from development.

Issue: Will the BLM identify the specific failures and inadequate consultation it claims occurred under Section 106 of the NHPA and Section 7 of the ESA?

Comment Summary

One commenter took issue with the BLM's assertion that inadequate consultation under Section 106 of the NHPA and failure to adequately evaluate impacts under Section 7 of the ESA occurred. This commenter requested information on what specific steps need to be taken for each RMP area to comply with NHPA, and what specific failures were in the previous EISs regarding Section 7 of the ESA.

3.10 GOVERNMENT-TO-GOVERNMENT CONSULTATION

Issue: How will the BLM engage affected tribes through government-to-government consultation?

Comment Summary

Multiple commenters were concerned about how the BLM will consult with affected tribes and Alaska Native communities. Commenters referred to the existence of the trust responsibility the BLM has to meaningfully engage in government-to-government consultation with tribal governments in the process of making decisions that may impact tribes. Commenters noted that because of the critical importance of this EIS's decisions and the vast area across Alaska that it affects, the BLM should consult tribes at every step of the process, even before alternatives are developed. Commenters were concerned about the impacts of lifting D-1 withdrawals on the landscape, which could threaten traditional land uses, environmental quality, and tribal well-being. These commenters suggested that robust tribal outreach and meaningful government-to-government consultation will be crucial components of a successful NEPA process.

The following organizations and tribal entities requested that the BLM engage with them in government-to-government consultation or to discuss opportunities for co-managing and co-stewardship of BLM-administered lands with tribal governments and communities:

- Bering Sea-Interior Tribal Commission
- Chilkat Indian Village
- Mother Kuskokwim Tribal Coalition
- Native Village of Tununak
- Native Village of Unalakleet
- Norton Bay Inter-Tribal Watershed Council
- Orutsararmiut Native Council
- Tanana Chiefs Conference
- Tribes and tribal organizations of the Yukon-Kuskokwim Delta
- United Tribes of Bristol Bay

3.11 ANCSA CONSULTATION

Issue: How will the BLM consult ANCSA corporations in the NEPA process?

Comment Summary

Multiple ANCs commented with concerns about how the BLM will consult them in the development of this EIS. Because this effort covers such a large area, it is likely that any decision will have an impact on the interests of the ANCs. ANCs such as Doyon, Limited; NANA Regional Corporation, Inc.; Calista Corporation; and Deloy Ges, Inc. all commented about consultation concerns. Commenters noted that the BLM has a legal obligation to consult ANCs when taking actions that may have substantial direct effects on ANCs. Commenters also pointed out that the PLOs in question violate the trust responsibility expressed in ANCSA by lifting D-1 withdrawals on lands not selected by the State or ANCs under ANCSA. Other commenters expressed frustration that the conveyance of lands under ANCSA has been delayed because of previous inadequate consultation.

3.12 ANILCA

Issue: How will the BLM address ANILCA Section 810 requirements in the development of this EIS?

Comment Summary

Commenters stated that ANILCA Section 810, which requires agencies to consider the effects of federal land use decisions on subsistence uses and to take steps to minimize impacts, should be an important component of this EIS. Commenters requested that the BLM undertake a comprehensive evaluation of subsistence uses and allow subsistence users opportunities for meaningful participation in the agency's decision-making. Commenters also noted that data used in previous decision-making efforts, such as in the Bering Sea-Western Interior land use planning process, are outdated and insufficient, and should not be used in this process.

One commenter asserted that the BLM has met ANILCA Section 810 requirements through previous planning processes, so no further Section 810 analysis is required.

3.13 17(D)(1) WITHDRAWALS

Issue: How will the BLM address possible 17(d)(1) withdrawal revocations in the development of this EIS?

Comment Summary

Some commenters asserted that the PLOs revoking withdrawn lands conflict with other programs, such as the Alaska Native Vietnam-era Veterans Land Allotment Program and areas of critical environmental concern (ACECs) considered by certain RMPs. These commenters stated that ANCs and tribes were not consulted on the immediate revocation of withdrawn lands, as stated in the PLOs. Additionally, the DOI has yet to convey lands promised in the ANCSA to Alaska Natives and ANCs; commenters noted that these conveyances must be completed before any D-1 withdrawals are revoked so that there is sufficient land available.

Other commenters suggested that because over 50 years have passed since the establishment of D-1 withdrawals, and 95 percent of State and Native land selections have been adjudicated, it is time for the withdrawals to be lifted. These commenters noted that the BLM has already evaluated and analyzed the impacts of revocation through the development of RMPs and their respective EISs.

3.14 PLO 7899: KOBUK-SEWARD PENINSULA PLANNING AREA

Issue: How will the BLM analyze the impacts on the Kobuk-Seward Peninsula planning area?

Comment Summary

Two commenters suggested that the revocation of D-1 withdrawals, which may alter how local communities are able to use land, water, and other resources, will have a substantial impact on land use patterns in the Kobuk-Seward Peninsula planning area. One commenter noted that in the Kobuk-Seward plan, there is no evaluation of impacts on subsistence resources due to climate change or from introducing mineral extraction development. The commenter suggested that this inadequate evaluation of impacts should be corrected in a plan amendment for the Kobuk-Seward RMP.

3.15 PLO 7900: RING OF FIRE PLANNING AREA

Issue: How will the BLM analyze the impacts on the Ring of Fire planning area?

Comment Summary

Eklutna, Inc., an ANC, made multiple comments concerning land conveyance within the Ring of Fire planning area. They stated that Eklutna, Inc. has over 11,000 acres of remaining selections to be conveyed by the BLM; yet at the same time, significant areas of Eklutna's selected lands are scheduled for withdrawal and selection by Alaska Vietnam veterans. This conflict requires clarification and analysis in the upcoming EIS.

Another commenter stated that there was an inadequate evaluation of climate change and potential mineral extraction impacts on subsistence resources; a new plan amendment for the Ring of Fire RMP should correct this.

3.16 PLO 7901: BAY PLANNING AREA

Issue: How will the BLM analyze the impacts on the Bay planning area?

Comment Summary

Various commenters suggested that previous impact evaluations for the Bay RMP were inadequate. One commenter focused on cultural resources, stating that the BLM had previously recognized data gaps and thus could only superficially address the impacts of D-1 withdrawal revocations. Another commenter noted

that there was no proper evaluation of impacts from climate change or potential extractive development on subsistence resources, which should be corrected by a Bay RMP amendment.

3.17 PLO 7902: BERING SEA-WESTERN INTERIOR PLANNING AREA

Issue: How will the BLM analyze the impacts on the Bering Sea-Western Interior planning area?

Comment Summary

Multiple commenters noted inadequacies in the Bering Sea-Western Interior RMP planning process, especially from tribal perspectives. These commenters asserted that recommendations from tribal organizations, such as the Bering Sea-Interior Tribal Commission, were ignored or rejected in the RMP. For example, multiple ACECs were nominated to protect important watersheds, cultural landscapes, and subsistence resource habitats; the BLM rejected all of these. Commenters noted that there was a lack of an evaluation of the impacts on Alaska Natives' lives and livelihoods from opening lands to extractive development and removing land protections. Because of this, commenters suggested that the previous EIS was critically flawed; this upcoming EIS must reevaluate impacts and reconsider ACEC nominations and other tribal concerns that were ignored in the Bering Sea-Western Interior RMP.

3.18 PLO 7903: EAST ALASKA PLANNING AREA

Issue: How will the BLM analyze the impacts on the East Alaska planning area?

Comment Summary

Commenters had multiple concerns about the impacts on the East Alaska planning area. One commenter noted that many of the lands considered for revocation of D-1 withdrawals are within river watersheds that are home to important fish species. These rivers and their surrounding watersheds are important for subsistence uses and recreation. Commenters stated that the revocation of D-1 withdrawals may open up land for mining and disposal, leading to future uses and related impacts that may damage subsistence resources. Commenters argued that these impacts have not been adequately evaluated; the BLM must correct this.

3.19 FLPMA

Issue: How will this EIS be in accordance with FLPMA?

Comment Summary

One commenter stated that the PLOs violate FLPMA because their issuance lacked the public process required. Another commenter wanted further clarification on the alleged failure to secure consent from the Department of Defense, as required by FLPMA Section 204(i).

3.20 OTHER LAWS

Issue: How will the BLM adhere to the requirements outlined in applicable federal, tribal, state, and local plans, laws, and statutes?

Comment Summary

Multiple commenters referenced the 2004 Alaska Land Transfer Acceleration Act (ALTAA). Some commenters argued that continued retention of D-1 withdrawals violates the BLM policy resulting from Section 207 of the ALTAA, which directed the BLM to review the D-1 withdrawals. Commenters stated that in 2006, the BLM concluded that the withdrawals had served their purpose; the BLM recommended lifting the withdrawals, which would be consistent with the public interest; and the BLM also recommended the evaluation of D-1 lands through a resource management planning process. Commenters noted that retaining D-1 withdrawals now conflicts with this previous analysis.

One commenter stated that recent RMP processes showed that the BLM had limited inventories of resources and assessments of the values on D-1 lands, especially in regard to Alaska Native communities. Reappropriating these lands with incomplete inventories and assessments would result in environmental injustice for those communities that depend on the land and resources for their livelihoods.

Commenters also noted that the Alaska Native Vietnam-era Veterans Land Allotment Program under Section 1119 of the Dingell Act should be evaluated. One commenter suggested that opening some lands for specific selections through partial revocation of withdrawn lands is a necessary obligation to reward those that are still waiting for their land allotments.

Commenters referred to the BLM's Permanent Instruction Memorandum 2022-011, which directs the BLM to involve federally recognized tribes in resource management co-stewardship agreements. Commenters requested that the EIS analysis of D-1 lands include an assessment of federal staffing to accommodate management, compliance with BLM permit requirements, and law enforcement. The EIS should then include an assessment of how co-stewardship agreements could contribute to filling any gaps in BLM staffing.

One commenter requested clarification and further explanation about the alleged possible failure to adequately evaluate impacts under Section 7 of the ESA.

Commenters also stated that this additional EIS would be contrary to earlier findings through the five RMPs; thus, they believed this EIS is in violation of NEPA, ANILCA, ANCSA, and FLPMA.

3.21 MITIGATION

Issue: Will the EIS identify the types of activities that will require mitigation and how mitigation efforts will be conducted?

Comment Summary

A commenter stated that the EIS must clearly identify the actions that will require mitigation efforts. The commenter also expressed concerns over which parties will be responsible for carrying out mitigation efforts.

3.22 MONITORING

Issue: Will the EIS consider an environmental monitoring and adaptive management plan?

Comment Summary

A commenter recommended that the EIS include detailed environmental monitoring and adaptive management plans that assess the effectiveness of mitigation efforts. The commenter also suggested outlining the monitoring goals that mitigation efforts should strive to meet.

3.23 PHYSICAL ENVIRONMENT

3.23.1 Physical Environment

Issue: How will the BLM analyze the effects of resource extraction and the potential impacts on ecosystems?

Comment Summary

Commenters expressed concerns over the relative short-term gain of removing D-1 withdrawals to allow resource extraction with the detrimental effects resource extraction could cause on the existing ecosystems. Commenters requested that the BLM consider the damage that opening these lands could cause.

3.23.2 Climate and Meteorology

Issue: How will the BLM address the concerns over how climate change will impact Indigenous communities and subsistence resources if D-1 withdrawal protections are removed?

Comment Summary

Commenters expressed concerns over the changes in subsistence hunting and fishing that multiple groups in Alaska rely on. Commenters explained that the lands in question are important to traditional use and food security. Also, the lands act as necessary protective buffers from climate threats, such as wildfires, floods, and severe weather, to rural communities and the critical natural resources that communities depend on.

Issue: What steps will the BLM take to assess the effects of climate change within Alaska's ecosystems caused by removing D-1 withdrawal protections?

Comment Summary

Multiple commenters expressed concerns over the effects of climate change disrupting Alaska's unique ecosystems. Commenters listed known effects of climate change, noting that the damage is insurmountable and must be slowed at all costs. Some climate hazards listed included increased wildland fires, flooding, and released methane from the melting of permafrost, as well as damage to marine ecosystems and wild salmon populations that are endemic to the Yukon and Kuskokwim River Basins. Commenters recommended that the BLM review a recent report for the Government Accountability Office titled "Alaska Native Issues: Federal Agencies Could Enhance Support for Native Village Effort to Address Environmental Threats" for a broader review of climate threats and potential assistance programs.

Another commenter referenced the national strategy for the Arctic as potential guidance for this upcoming EIS. This guidance includes strategic objectives, such as pursuing emissions mitigation and protection of ecosystems in the Arctic's areas. Generally, commenters requested that the BLM use the best and most up-to-date climate science available in the analysis.

Commenters noted that opening these lands to mining and other resource extraction could damage pristine landscapes and contribute to expediting climate impacts within Alaska, a state that has already seen disproportionately rapid effects. Multiple commenters requested that the EIS comprehensively analyze how the removal of D-1 withdrawal protections will affect impacts related to climate change both locally and globally.

3.23.3 Air Quality

Issue: How will the BLM monitor the effects on air quality and mitigate the impacts?

Comment Summary

A commenter requested that the BLM analyze the impacts on air quality that revoking D-1 withdrawals could cause. The commenter also recommended that the BLM prepare a mitigation plan for both temporary and cumulative impacts on air quality.

3.23.4 Geology and Minerals

Issue: Will the BLM consider that Alaska contains critical minerals and rare-earth elements that are necessary in modern technology?

Comment Summary

Commenters noted that mining provides various materials that could benefit the US economy and help the US become less dependent on foreign markets.

Issue: If the D-1 lands are opened for mineral extraction, how will the BLM mitigate the impacts of potential mining and other natural resource extraction on ecological communities?

Comment Summary

Several commenters expressed concerns over potential impacts that mining could have on previously protected D-1 lands. Commenters requested that the BLM place the health and longevity of the Alaskan landscape ahead of short-term mining gains.

Issue: How will the BLM discern how the land will be used once the land is opened?

Comment Summary

Multiple commenters stated that sections of land within the PLOs have been previously opened and were not mined. As the lands often have limited mineral potential, keeping these lands closed only leads to the lands being harder to manage. These commenters requested opening the lands with restrictions under the respective RMPs to allow certain activities in approved areas.

3.23.5 Water Resources

Issue: Will the BLM conduct baseline surface water and groundwater studies, and evaluate each alternative's impact on water quality?

Comment Summary

A commenter recommended that the BLM complete a study on all hydrologic components within the scope of the project; the commenter requested that each alternative include these results in the environmental consequences analysis.

3.24 BIOLOGICAL RESOURCES

3.24.1 Biological Resources

Issue: If the lands are opened for multiple uses, how will the BLM protect the overall ecosystem functionality in these areas?

Comment Summary

Commenters stated that various ecosystems, populations, and habitats are currently protected by the D-1 protections. Commenters recommended that the BLM conduct a robust analysis of potential impacts of opening these lands to industrial development, stating that previous studies were not adequate.

Commenters requested that if the lands are opened, more appropriate land management prescriptions must be written to safeguard these ecosystems. Commenters expressed concern that changes to these lands would disrupt people's way of life who have depended on these ecosystems for generations.

3.24.2 Fish and Aquatic Species

Issue: Will the BLM evaluate the impacts that lifting D-1 protections would have on fish populations and fishing opportunities?

Comment Summary

Multiple commenters expressed concern with the potential impacts of removing protections from D-1 lands. Commenters explained how lifting protections would open important fishing waterways to development, which would promote contamination, dust, and chemical spills in these areas. Commenters argued that this would cause fish populations to suffer and fishing opportunities to degrade.

Commenters recommended that the EIS evaluate the impacts on fish and wildlife from the withdrawal of lands and alternatives; they also requested that special consideration be given to listed and proposed species under the ESA.

3.24.3 Terrestrial Mammals

Issue: Will the BLM continue to protect lands for reindeer grazing?

Comment Summary

One commenter asked if specific areas would remain open for reindeer grazing.

Issue: Will the BLM consider retaining the current D-1 protections to prevent further declines in terrestrial mammal populations in Alaska?

Comment Summary

Commenters expressed concerns with the potential impacts that lifting D-1 protections could have on caribou and Dall sheep populations. Commenters advocated for the conservation of these animals and their habitats by maintaining the current the D-1 protections.

3.25 SOCIAL SYSTEMS

3.25.1 Landownership and Use

Issue: How will the BLM improve access to public lands and waters?

Comment Summary

Commenters requested that the BLM provide better public access to lands and waters in Alaska.

Issue: Will the BLM donate more land to conservation land trusts?

Comment Summary

One commenter recommended that more land be donated to conservation land trusts.

Issue: Will the BLM ensure that all lands are conveyed before releasing withdrawn lands?

Comment Summary

Multiple commenters were concerned that releasing withdrawn lands is premature because conveyance has not been finalized and lands still need to be surveyed. Commenters emphasized that millions of acres have yet to be conveyed to Alaska Native tribes, and the State of Alaska's land entitlements under the Alaska Statehood Act and ANCSA have yet to be fulfilled. One commenter also noted that many of the allotments available to Vietnam veterans under the Dingell Act have yet to be selected.

Issue: Will the BLM consider the impacts that revoking or modifying D-1 withdrawals will have on fulfilling land entitlements?

Comment Summary

Various commenters were concerned that maintaining D-1 withdrawals would restrict the State's ability to prioritize its requests for the transfer of statehood entitlement lands. Commenters emphasized that these withdrawals would prevent the State's high-priority top filings from automatically attaching to selected lands in the region and prohibit the State from making final entitlement decisions consistent with the Alaska Statehood Act.

3.25.2 Cultural Resources

Issue: Will the BLM analyze the potential impacts of lifting D-1 withdrawals on cultural resources?

Comment Summary

Various commenters expressed concerns with the potential impacts of lifting D-1 withdrawals on cultural resources. Commenters urged the BLM to identify cultural resources within lands subject to D-1 withdrawals and analyze potential impacts; they noted that D-1 lands encompass important sacred sites, trade routes and trails, and cultural-use areas. Commenters also requested that the BLM consider and incorporate Indigenous people's knowledge and complete the NHPA Section 106 process.

3.25.3 Subsistence Uses and Resources

Issue: If D-1 withdrawals are lifted, how will the BLM ensure that subsistence resources are protected?

Comment Summary

Various commenters were concerned about the need to maintain existing safeguards of public lands to ensure the availability of subsistence resources. Commenters stressed that lands subject to D-1 withdrawals in the Bering Sea-Western Interior planning area contain important subsistence resources that are critical to the social, cultural, spiritual, and economic well-being. Commenters were also concerned that if these lands are opened to extractive development, subsistence fish, wildlife, plant, and clean water resources could be adversely impacted. Commenters requested that the BLM properly analyze the potential impacts and increased environmental pressures of lifting D-1 withdrawals on subsistence resources; these impacts include fragmentation of landscapes and watersheds, decreased fish and wildlife populations, increased levels of methane and carbon dioxide, reduced harvest yields, and economic setbacks.

3.25.4 Environmental Justice

Issue: How will the BLM address relevant environmental justice issues in the EIS?

Comment Summary

Commenters requested that the BLM use up-to-date and high-quality data to analyze the impacts of potential actions on environmental justice communities in or near the planning area. One commenter recommended the BLM develop health impact and social impact assessments, and identify social determinants of health (considerations of economic and social conditions influencing human health); these can provide agencies with important background data.

Commenters also suggested that the BLM reference Executive Order 12898, which requires federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. To meet the requirements of the executive order, a commenter recommended that the EIS:

- Identify specific low-income and minority communities that may be impacted by revocation of the withdrawals.
- Describe the efforts that have been or will be taken to meaningfully involve and inform affected communities about RMP decisions and impacts.
- Disclose the results of meaningful involvement efforts, such as community-identified impacts.
- Evaluate identified RMP decisions for their potential to disproportionately impact low-income and minority communities, relative to a reference community.
- Disclose how potential disproportionate impacts and environmental justice issues have been or will be addressed by a BLM decision-making process.

- Propose mitigation for unavoidable impacts that will or are likely to occur.
- Include a summary conclusion, sometimes referred to as an environmental justice determination, that concisely expresses how environmental justice impacts have been appropriately avoided, minimized, or mitigated.

Another tool for identifying environmental justice communities is the Climate and Economic Justice Screening Tool, which multiple commenters recommended the BLM use.

Other commenters suggested that the BLM consider that many of the communities near the planning area are in rural and remote locations, which are subject to numerous service gaps (food deserts and medically underserved areas); this is especially true in Indigenous and tribal communities.

3.25.5 Special Designations

Issue: What special designations will the BLM analyze in this EIS?

Comment Summary

One commenter remarked on the wild and scenic rivers designated in the commenter's area and argued that the withdrawals must be kept in perpetuity to protect these natural resources. Another commenter believed much of the planning area should be converted to wilderness, where the BLM should only allow subsistence hunting for those that actually depend on it. Another commenter referenced the Biden administration's 30x30 conservation goals and requested that the lands be managed in the best interest of achieving those goals.

Another commenter recommended the BLM revisit ACEC designations in the various RMPs as part of this planning process. The commenter noted that the D-1 lands in the Chilkat Valley are important places for food gathering and traditional activities; the commenter was concerned that lifting the D-1 protections could limit access and the quality of these lands.

3.25.6 Economy

Issue: How will the BLM analyze impacts related to the removal of 17(d)(1) withdrawals on state and local economies, communities, and nonmarket values?

Comment Summary

Commenters had various opinions regarding the economic impacts related to the removal of D-1 protections in the planning area. Some commenters stated that properly conserved public lands have more value than any temporary economic activity. These commenters recommended focusing on already disturbed areas for any economic development.

One commenter expressed concerns that the removal of D-1 protections, and subsequent development, could impact the water quality at Solomon Lake. A nearby fish hatchery depends on Solomon Lake as its water source.

3.25.7 Public Health and Safety

Issue: In this EIS, will the BLM analyze any past, current, or projected future Superfund activities in the planning area?

Comment Summary

One commenter expressed concerns about the potential cleanup of contaminated sites, via Superfund activities, within the planning area. The commenter recommended that the EIS analyze and disclose any existing contamination to ensure that project actions do not interfere with ongoing investigations and

cleanup efforts. The commenter also suggested that the BLM should identify potential health impacts on local communities or planning area users.

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Chapter 4. Future Steps

4.1 FUTURE STEPS AND PUBLIC PARTICIPATION OPPORTUNITIES

The next phase of the BLM's EIS process is to develop alternatives based on the issues presented in **Chapter 3**. These alternatives will address issues identified during scoping and will meet the goals and objectives to be developed by the BLM's interdisciplinary team, in coordination with cooperating agencies. In compliance with NEPA, the Council on Environmental Quality regulations, and the BLM regulations and guidance, alternatives should be reasonable and implementable. The BLM will also meet with cooperating agencies, interested tribes, and ANCs to seek their input on the development of the alternatives.

The analysis of the alternatives will be documented in the draft EIS. Although the BLM welcomes public input at any time during the environmental analysis process, the next official public comment period will begin when the BLM publishes the draft EIS, which is anticipated in June 2023. The BLM will announce the availability of the draft document via a notice of availability in the *Federal Register*, and a public comment period of at least 45 days will follow. The BLM will hold public meetings during the draft EIS comment period.

At the conclusion of the public comment period, the BLM will revise the draft EIS, which will be followed by publication of the final EIS. The final EIS will identify the BLM's preferred alternative. The BLM will announce the availability of the final EIS in a notice of availability in the *Federal Register*. The date that the notice appears in the *Federal Register* will begin the required 30-day waiting period before a record of decision (ROD) may be issued.

The BLM will prepare the ROD to document the selected alternative and any accompanying additional mitigation measures, and the approving official will sign it. No action concerning the proposal will be allowed until the ROD has been issued, except under conditions specified in Council on Environmental Quality regulations at 40 CFR 1506.1.

4.2 CONTACT INFORMATION

The public is encouraged to participate throughout the environmental analysis process for the ANCSA 17(d)(1) Withdrawals EIS. Those wanting to be added to or deleted from the distribution list, change their contact information, or request further information may email a request to the BLM project manager, Racheal Jones, at rajones@blm.gov, or mail a request to the following address:

Bureau of Land Management, Alaska State Office
ANCSA 17(d)(1) Withdrawals EIS
222 West 7th Avenue #13
Anchorage, AK 99513

Please provide your name, mailing address, and email address, as well as your preferred method for receiving information. Before submitting written comments on a NEPA action, be advised that your entire comment—including personally identifiable information (such as your address, phone number, and email address)—may be made publicly available at any time. While you can request that your personally identifiable information be withheld from public review, we cannot guarantee that we will be able to withhold it.

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Chapter 5. References

BLM (United States Department of the Interior, Bureau of Land Management). 2008. Handbook H-1790-1 National Environmental Policy Act. BLM, Washington, DC. January 30, 2008.

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Appendix A

Notice of Intent

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XVIII. Authority

This is a discretionary grant program authorized under the Snyder Act (25 U.S.C. 13), the Consolidated Appropriations Act, 2022 (HR 2471–312), and the American Rescue Plan Act of 2021 (Pub. L. 117–2). The Snyder Act authorizes the BIA to expend such moneys as Congress may appropriate for the benefit, care, and assistance of Indians for the purposes listed in the Act. Broadband deployment or expansion facilitates two of the purposes listed in the Snyder Act: “General support and civilization, including education” and “industrial assistance and advancement.” The Consolidated Appropriations Act authorizes the BIA to “carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.”

Bryan Newland,
Assistant Secretary—Indian Affairs.
 [FR Doc. 2022–17783 Filed 8–17–22; 8:45 am]
 BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLAK941000.L14100000.ET0000.223]

Notice of Intent To Prepare an Environmental Impact Statement To Consider the Impacts of Opening Lands Subject to ANCSA 17(d)(1) Withdrawals, Including Lands Within the Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire Planning Areas; Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: In compliance with the National Environmental Policy Act of 1969 (NEPA), as amended; the Federal Land Policy and Management Act of 1976 (FLPMA), as amended; the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), as amended; and the Alaska Native Claims Settlement Act (ANCSA), as amended, the Bureau of Land Management (BLM) intends to prepare an Environmental Impact Statement (EIS) to consider the effects of opening lands subject to withdrawals established pursuant to section 17(d)(1) of ANCSA on lands within the Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire planning areas, and by this

notice is announcing the beginning of the scoping process to solicit public comments and identify issues.

DATES: This notice initiates the public scoping process for the EIS. The BLM requests comments concerning the scope of the analysis, potential alternatives, and identification of relevant information by October 17, 2022. To afford the BLM the opportunity to consider comments in the Draft EIS, please ensure your comments are received prior to the close of the 60-day scoping period or 15 days after the last public meeting, whichever is later.

ADDRESSES: You may submit comments on issues related to this process by any of the following methods:

- *ePlanning website:* <https://eplanning.blm.gov/eplanning-ui/project/2018002/510>
- *Mail:* 222 W 7th Avenue, Stop #13, Anchorage, Alaska 99513
- More details and instructions for submitting public comment can be found on the BLM ePlanning website at <https://eplanning.blm.gov/eplanning-ui/project/2018002/510>

Documents pertinent to this proposal may be examined at the ePlanning website.

FOR FURTHER INFORMATION CONTACT:

Racheal Jones at (907) 290–0307, or by email at rajones@blm.gov, on questions specific to NEPA or to have your name added to our mailing list; and Bettie Shelby at (907) 271–5596, or by email at bshelby@blm.gov, on questions specific to the actions at issue in this EIS.

Individuals in the United States who are deaf, blind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: Public Land Order (PLO) No. 7899, which would revoke withdrawals established under ANCSA Section 17(d)(1) on lands in the Kobuk-Seward Peninsula planning area, was signed on January 11, 2021, and published in the **Federal Register** on January 19, 2021 (86 FR 5236). PLO Nos. 7900, 7901, 7902, and 7903, which would revoke withdrawals established under ANCSA Section 17(d)(1) on lands in the Ring of Fire, Bay, Bering Sea-Western Interior, and East Alaska planning areas, respectively, were signed on January 15 and 16, 2021, but were never published in the **Federal Register**. The Department deferred the

opening of the lands described in PLO No. 7899 by 60 days on February 18, 2021, to provide an opportunity to review the decisions and ensure the orderly management of the public lands (86 FR 10131). Subsequently, the Department identified certain procedural and legal defects in the decision-making process for PLO Nos. 7899, 7900, 7901, 7902, and 7903, including insufficient analysis under NEPA, failure to follow section 106 of the National Historic Preservation Act (NHPA), possible failure to adequately evaluate impacts under section 7 of the Endangered Species Act (ESA), failure to secure consent from the Department of Defense (DOD) with regard to lands under DOD administration as required by Section 204(i) of FLPMA (43 U.S.C. 1714(i)), failure to adequately analyze potential impacts on subsistence hunting and fishing, and reliance on potentially outdated data in EISs prepared in 2006 and 2007. Due to these identified deficiencies, on April 16, 2021, the Department—relying on its inherent authority to revisit decisions based on identified legal errors—deferred the opening of lands under PLO No. 7899 and the publication of PLO Nos. 7900, 7901, 7902, and 7903 in order to address the deficiencies in the decision-making process that led to the PLOs (86 FR 20193).

As a result, the BLM completed an environmental assessment on April 21, 2022, to ensure legal compliance for opening lands within the areas affected by PLO Nos. 7899, 7900, 7901, 7902, and 7903 to selection by Alaska Native Vietnam-era Veterans under Section 1119 of the Dingell Act due to the five-year statutory limit on the application period for allotment selections. The Secretary issued a public land order to open the land to allotment selection on January 19, 2021. The BLM is now undertaking this process to address the remaining legal defects in the decision-making processes for PLO Nos. 7899, 7900, 7901, 7902, and 7903 and to ensure compliance with the requirements of NEPA, Section 204(i) of FLPMA, Section 106 of the NHPA, Section 7 of the ESA, and Section 810 of ANILCA.

The BLM will consider a range of alternatives in the EIS, which may include full or partial revocation of the ANCSA 17(d)(1) withdrawals, making one or more withdrawals under FLPMA, or retention of some or all of the ANCSA 17(d)(1) withdrawals.

Full or partial revocation of the ANCSA 17(d)(1) withdrawals may result in changes to land use that could affect local residents, wildlife, vegetation, cultural resources, subsistence use, air

resources, and water resources across up to 28 million acres of BLM-administered land in Alaska.

While BLM currently intends to prepare a single EIS, we request public input during the scoping period on whether the analysis should be completed through one or multiple EISs. The BLM is also seeking input on specific areas within these planning areas that may experience unique or otherwise significant impacts as a result of opening the lands, which would need to be considered in the analysis.

During this 60-day scoping period, the BLM does not intend to hold any public meetings, in-person or virtual. Should the BLM later determine to hold public meetings, the specific date(s) and location(s) of any meeting will be announced at least 15 days in advance. The BLM is seeking public comments on issues, concerns, potential impacts, alternatives, and mitigation measures that should be considered in the analysis. Additional opportunities for public participation, including at least a 60-day public comment period, will be provided upon publication of the Draft EIS. The NEPA process will be completed consistent with 40 CFR 1501.10(b)(2), following which the Secretary will make a decision regarding the ANCSA 17(d)(1) withdrawals.

The input of Alaska Native Tribes and Corporations is of critical importance to this EIS. Therefore, during the planning process, the BLM will continue to consult with potentially affected Federally recognized Tribes on a government-to-government basis, and with affected Alaska Native Corporations in accordance with Public Law 108–199, Div. H, sec. 161, 118 Stat. 452, as amended by Public Law 108–447, Div. H, sec. 518, 118 Stat. 3267, as well as Executive Order 13175, and other Department and Bureau policies. We respectfully request participation in consultation by Alaska Native Tribes and Alaska Native Corporations to provide their views and recommendations on the alternatives outlined above, including specific lands to be opened or to remain subject to withdrawals. The BLM will hold individual consultation meetings upon request.

The BLM will also use and coordinate the NEPA process to help fulfill its obligations under the NHPA, including as provided in 36 CFR 800.2(d)(3). Information about historic and cultural resources within the area potentially affected by the proposed action will assist the BLM in identifying and evaluating impacts to such resources. Federal, State, and local agencies, along with Tribes and other stakeholders that

may be interested in or affected by the proposed opening of lands withdrawn under the authority of Section 17(d)(1) of ANCSA, are invited to participate in the scoping process and, if eligible, may request or be asked by the BLM to participate in the development of the EIS as cooperating agencies.

It is important that commenters provide their comments at such times and in such manner that they are useful to the agency's preparation of the EIS. Therefore, comments should be provided prior to the close of the comment period and should clearly articulate the commenter's concerns and contentions. Comments received in response to this solicitation, including names and addresses of those who comment, will be part of the public record for this proposed action. Comments submitted anonymously will be accepted and considered.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Steven Cohn,

State Director, BLM Alaska.

[FR Doc. 2022–17806 Filed 8–17–22; 8:45 am]

BILLING CODE 4310-JA-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCOS05000.L71220000.PN000.
LVTF2009000.20X]

Notice of Realty Action: Direct Sale of Public Land in Delta County, CO

AGENCY: Bureau of Land Management.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) is proposing the noncompetitive (direct) sale of a parcel of public land in Colorado to resolve inadvertent and unauthorized use of public lands. The 6.62-acre parcel is located in Delta County and will be sold to Bud Hawkins and Cindy Hawkins at the appraised fair market value of \$3,500. The sale will be subject to the applicable provisions of sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (FLPMA) and BLM land sale regulations.

DATES: Interested parties may submit written comments regarding this direct sale by October 3, 2022.

ADDRESSES: Mail written comments to Jana Moe, Realty Specialist, BLM Uncompahgre Field Office, 2465 S Townsend Road, Montrose, CO 81401 or by email to jpmoe@blm.gov.

FOR FURTHER INFORMATION CONTACT: Jana Moe, Realty Specialist, BLM, Uncompahgre Field Office, telephone: (970) 240–5324; email: jpmoe@blm.gov. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The BLM will consider the direct sale, in accordance with Sections 203 and 209 of FLPMA, of the following public lands:

New Mexico Principal Meridian, Colorado

T. 51 N., R. 9 W.,

Sec. 17, lots 1 and 4.

The area described contains 6.62 acres, according to the official plat of survey on file with the BLM.

There is no known mineral value in the parcel so the mineral estate would also be conveyed in accordance with Section 209 of FLPMA. This sale is in conformance with the BLM Gunnison Gorge National Conservation Area (GGNCA) Record of Decision and Approved Resource Management Plan decision LAND C–5, (pages 2–9) approved in November 2004. The parcel is located within the GGNCA planning area but is not located within the GGNCA boundary. A parcel-specific environmental assessment (EA), document number DOI–BLM–CO–S054–2020–0006 EA, was prepared in connection with this realty action. It can be viewed online at <https://eplanning.blm.gov/eplanning-ui/project/2000347/510>.

The land is suitable for direct sale under FLPMA, without competition, consistent with 43 CFR 2711.3–3(a)(5), because there is a need to resolve an inadvertent and unauthorized use of public lands, which are encumbered by privately owned improvements.

Pursuant to the requirements of 43 CFR 2711.1–2(d), publication of this notice in the **Federal Register** will segregate the land from all forms of appropriation under the public land laws, including the mining laws, except for the sale provisions of FLPMA. Until

Appendix B

Scoping Meeting Presentation

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Virtual Public Meeting

ANCSA 17(d)(1) Withdrawals Environmental Impact Statement Virtual Public Scoping Meetings September 22, September 24, and October 4, 2022

Welcome!

The meeting will begin shortly. Thank you for your patience as we wait for others to join.

Please join using computer audio – if you are having issues accessing your audio, please send a chat message to “Hosts and Panelists.”

To access the live transcript of the meeting, at the bottom of your screen, click Live Transcript, then select Show Subtitle.

**Please note this transcript is computer-generated by Zoom and is not an official verbatim transcript of the meeting.*

This meeting is being recorded.



Meeting Agenda

- Brief remarks from the Acting Anchorage District Manager Lenore Heppler
- Meeting logistics and introductions
- PowerPoint presentation
- Question-and-Answer Session
- Public scoping input session
 - Focused on public input
 - Answers to questions will not be given during this time
 - BLM will record input to inform the Environmental Impact Statement

This meeting is being recorded.



Meeting Logistics

Participation Guidelines:

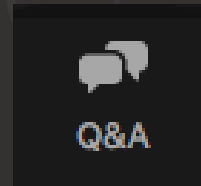
- Attendee videos will remain off for the duration of the meeting today.
- Questions will be received using the Q&A feature.
- The chat feature will not be used for the Q&A or the public scoping input session.
- If you are having a technical issue with your Zoom features, please use the chat feature to send a message to “Hosts and Panelists”.
- Microphones will remain on mute until the final public scoping input session.
- Verbal input during the scoping session will be received first by participants who indicated they wanted to provide input when they registered for today’s forum. Other participants will then be able to provide input using the raised hand icon.



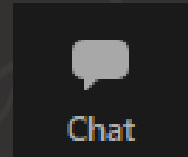
Meeting Details

Tips and Tricks for Zoom:

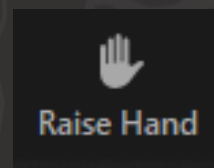
- Use the Q&A icon for the question-and-answer session.



- Use the Chat icon only for urgent technical questions.



- Use the Raise Hand feature during the public input session.



- Mute/Unmute will be controlled by the host for the entirety of the forum.
- Phone caller instructions –*9 to raise your hand to ask a question or provide input



Acronyms and Definitions

ANCSA – Alaska Native Claims Settlement Act of 1971

DoD – Department of Defense

EIS – environmental impact statement

ESA – Endangered Species Act of 1973

FLPMA – Federal Land Policy and Management Act of 1976

NEPA – National Environmental Policy Act of 1969

NHPA – National Historic Preservation Act of 1966

PLO – public land order

Public Land Orders – Actions implemented by the Secretary of the Interior to make, modify, extend, or revoke land withdrawals under the authority of the Federal Land Policy and Management Act of 1976.

Withdrawal – Withdrawals “withdraw” the lands in Federal ownership, effectively removing an area of Federal land from settlement, sale, location, or entry for the purpose of limiting activities under those laws to maintain other public values in the area or reserving it for a particular public purpose or program. Withdrawals are also used to transfer jurisdiction over Federal land from one Department, bureau, or agency to another.



Introductions

Several project team members will be presenting or participating in this meeting, including:

Presenters

- Racheal Jones (BLM Project Manager)
- Amanda Biedermann (EMPSi Public Outreach Specialist)

Team Members

- Chelsea Kreiner (BLM Alaska Withdrawals Coordinator)
- Serena Sweet (BLM Alaska Supervisory Planning and Environmental Coordinator)



Project Presentation

Presentation Content

- Background
- Focus of EIS
- EIS and NEPA Process and Timeline
- Proposed Action
- Project Area
- Alternatives
- How to Participate
- Input Helpful to BLM



Background

- BLM made recommendations to revoke ANCSA 17(d)(1) withdrawals in the approved resource management plans for Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire planning areas.
- January 2021—the Secretary acted on those recommendations and signed public land orders to revoke ANCSA Section 17(d)(1) withdrawals in these five planning areas.
- February 2021—the Department reviewed those public land order decisions and identified legal defects in the decision-making process.
- April 2022—the Department directed BLM to address the legal defects in the decision-making process through preparation of an environmental impact statement or EIS.



Focus of EIS

This EIS will focus on addressing the legal deficiencies:

- Insufficient analysis under NEPA.
- Failure to follow section 106 of the National Historic Preservation Act (NHPA).
- Possible failure to adequately evaluate impacts under Section 7 of the Endangered Species Act (ESA).
- Failure to secure consent from the Department of Defense (DOD) regarding lands under DOD administration.
- Failure to adequately analyze potential impacts on subsistence hunting and fishing, and reliance on potentially outdated data in EISs prepared in 2006 and 2007.



EIS NEPA Process and Timeline

- Notice of Intent published on August 18, 2022, opening a 60-day public scoping period that ends October 17, 2022.
- Following scoping, BLM will compile public input and publish a scoping report, which will be used to help focus issues and alternatives in the EIS.
- Publish draft EIS with a 60-day comment period – estimated summer 2023.
- After the public comment period for the draft EIS is complete, the BLM will begin addressing public comments and prepare the final EIS and recommendation to the Secretary.



Proposed Action

The proposed action is to revoke ANCSA 17(d)(1) withdrawals on lands described in the January 2021 public land orders 7899, 7900, 7901, 7902, and 7903, which total approximately 28 million acres across the five planning areas.



Project Area (Map)

Link to web map is located on the project website:

<https://eplanning.blm.gov/eplanning-ui/project/2018002/510>



Alternatives

- An EIS includes alternatives in any proposal which involves unresolved conflicts concerning alternative uses of available resources.
- The BLM will consider a range of alternatives in this EIS, including full or partial revocation of withdrawals or retaining withdrawal protections through Federal Land Policy and Management Act (FLPMA) withdrawals.
- Alternatives will be based on what BLM hears from affected stakeholders during this scoping period.



How to Comment

- Attend a virtual public meetings and provide oral comments.
- Fill out a comment form online at the project website:
<https://eplanning.blm.gov/eplanning-ui/admin/project/2018002/510>
- Submit comments by regular mail or deliver them in person to any BLM office:

Bureau of Land Management
Attn: ANCSA 17(d)(1) Withdrawals EIS
222 W 7th Ave, Ste 13
Anchorage, Alaska 99513



Comments Most Helpful to BLM

- BLM would like comments that relate to potential impacts associated with full or partial revocation of the ANCSA 17(d)(1) withdrawals in the areas under evaluation.
- BLM has guidance for making substantive comments, which you can access online: <https://www.blm.gov/programs/planning-and-nepa/plans-in-development/Alaska>



Thank you!

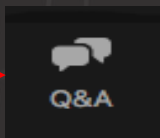
For more information, please visit the project website or email the BLM project manager at rajones@blm.gov.

Project website: <https://eplanning.blm.gov/eplanning-ui/admin/project/2018002/510>



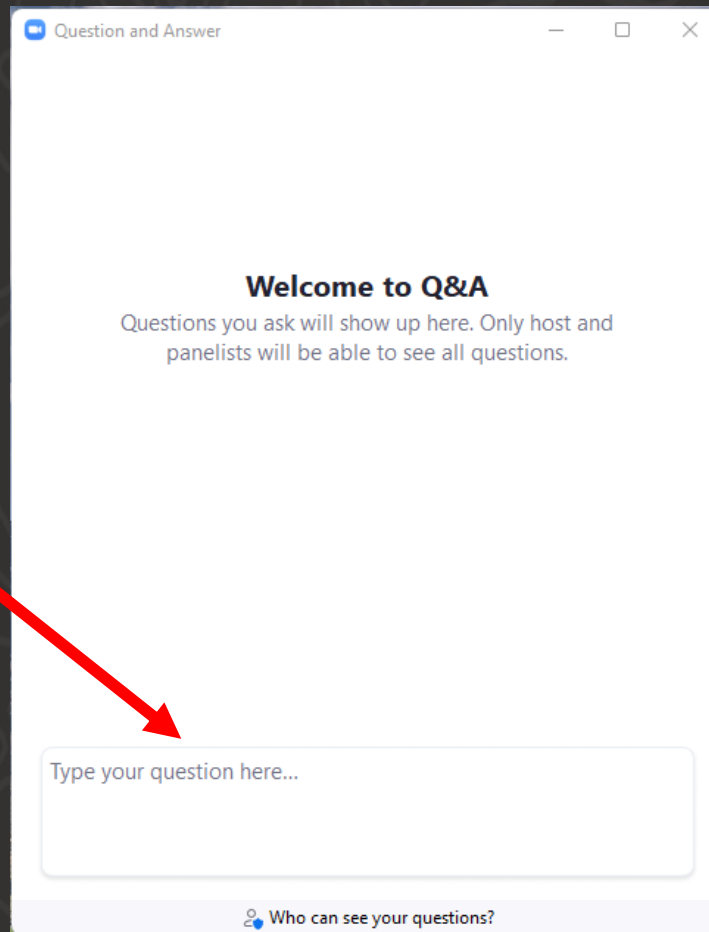
Question and Answer Session

- Step 1: Click the “Q&A” button at the bottom of your screen



- Step 2: Type your question and press the send button

- Step 3: Wait for BLM to answer your question live or written



Guidance:

- Only submit your question once
- BLM will answer questions as quickly as possible; however, it may take a few minutes for them to process the question to provide the answer
- Do not use the Chat button to submit a question, only use the Q&A icon.



Public Comment Session: Ground Rules

Because the BLM wants to hear from all members of the public, we will be using the following guidelines:

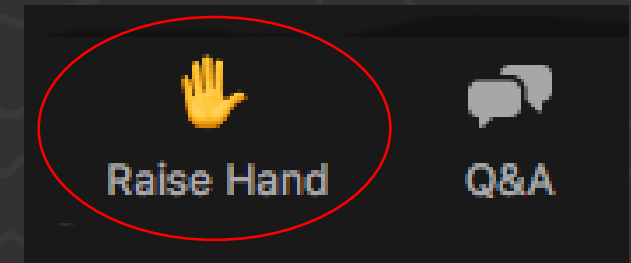
- Be mindful of the length of your comment, so that everyone can speak.
- Comments should be focused on this project.
- Please be respectful of others.
- Refrain from profanity.

If guidelines are not followed, your microphone will be muted, and we will move to the next person.



Public Scoping Session: How to Provide Verbal Input

- Input will be accepted in the order of registration.
- Once your name is called, use the “Raise Hand” feature and the forum facilitator will open your microphone.
- If you are on the phone, you can raise your hand with *9.
- Please spell out your full first and last name for the record before you provide your comment.
- A timer will be displayed on your screen to show the time remaining for your input.
- Your input will be included in the project record.





Public Scoping Session

To access the raise hand feature, click on the raise hand icon at the bottom of your Zoom screen.

If you are calling in using your phone, press *9 on your keypad.

Current Commenter:

Next Commenter:

If you did not get to speak or want to provide more input, please visit the project website for more information <https://eplanning.blm.gov/eplanning-ui/project/2018002/510>



Closing Remarks

Thank you for attending!

More information is available at the project website:

<https://eplanning.blm.gov/eplanning-ui/project/2018002/510>

Scoping comments and input must be received by **October 17, 2022**

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Appendix C

Substantive Public Comments

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Appendix C. Substantive Public Comments

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Bristol	Tim	SalmonState	39	NEPA	We urge BLM to retain the D-1 withdrawals to protect the public interest and rescind Public Land Orders 7899-7903 that were unlawfully issued.
Bristol	Tim	SalmonState	39	NEPA	The previous administration unlawfully issued PLOs 7899-7903. The PLOs were created without public input or Tribal consultation and relied on previous NEPA documents that failed to analyze the impacts of climate change or how opening the land to development may adversely affect subsistence resources and fish and wildlife habitat. The Secretary of Interior has the authority to "review, reverse, amend, annul, or affirm all proceedings in the department having for their ultimate object to secure the alienation of any portion of the public lands..."(6) This authority allows the Secretary to reverse actions of a predecessor that would affect the status of public lands within the agency's jurisdiction. We urge the Secretary to take immediate action and rescind Public Land Orders 7899-7903. (6) See Knight v. United Land Ass'n, 142 U.S. 161, 178 (1891); West v. Standard Oil Co., 278 U.S. 200, 210 (1929).
Litmans	Brian	Trustees for Alaska	38	NEPA	The first part of this rationale is most reasonably read as a summary of the factors BLM considered in making its determination: "achieving better management of federal lands" and "meeting the needs of state and local economies." Notably missing from this summary, however, is consideration of the immediate or long-term environmental consequences of lifting the withdrawals from most of the lands. Environmental and subsistence impacts are an important aspect of the problem. BLM's failure to provide any discussion of the environmental consequences of lifting 95% of the (d)(1) withdrawals is a significant flaw, undermining the recommendation. Further, because BLM must consider impacts to subsistence resources when making decisions regarding withdrawals, the Section 207 analysis fails to satisfy the requirements of Section 810 of ANILCA. (55) (55) 16 U.S.C. § 3120(a).
Litmans	Brian	Trustees for Alaska	38	NEPA	The second and third parts of BLM's rationale are general statements about improvements in federal land management and environmental protections that have occurred since the (d)(1) withdrawals were put in place. These statements are relevant to a public interest analysis, but they fall short in that they do not examine specific environmental consequences of lifting withdrawals in any particular location nor assess impacts to resources over time, including impacts to subsistence resources.
Litmans	Brian	Trustees for Alaska	38	NEPA	The fourth part of BLM's rationale is inapposite, since the underlying purpose of the withdrawals was not to simply allow State and Native selections, but rather to provide for a review of the lands and a determination of protections needed to manage appropriately for the public interest in those lands.(56) (56) See ANCSA § 17(d)(1).
Litmans	Brian	Trustees for Alaska	38	NEPA	The fifth part is also arguably irrelevant. The lands that ultimately became the ANILCA units were withdrawn in a separate section of ANCSA - Section 17(d)(2) - to be studied for that purpose. Because Congress made two distinct withdrawals in sections 17(d)(1) and (d)(2), and mandated that both be studied for public interest purposes, Congress anticipated that protective designations might flow from both provisions. Thus, designation of conservation system units from the (d)(2) lands does not obviate the possibility of protective designations from the (d)(1) lands.
Litmans	Brian	Trustees for Alaska	38	NEPA	The beginning of the sixth part of the rationale is also a dubious factor in a public interest determination, since it articulates only a temporal limitation. The fact that mineral entry would not be allowed immediately on many of the withdrawn lands says nothing about whether it is in the public interest to allow mineral entry at any point in time. That temporal limitation, moreover, does not apply to 14 million acres of BLM lands, a sizeable amount of acreage that would be immediately open to mineral entry. Aside from its general statements, discussed above, about improved environmental protections and stipulations, BLM does not describe the environmental consequences and impacts to subsistence resources from opening 14 million acres to immediate mineral entry and some additional number of acres to mineral entry later, after State and Native selections are resolved. The remainder of the sixth part and the seventh part of BLM's rationale address the low potential for mineral development on the lands recommended to be opened. While this is a relevant factor, it favors keeping withdrawals in place (because there is minimal public interest in obtaining minerals in the area to balance against the public interest of the other ecosystem and subsistence benefits it provides). Its application in the 207 Report is also overly broad and fails to provide any specifics about which lands have what level of potential and whether any of the medium to high potential lands might contain public values requiring protection, including subsistence resources. BLM also states that the combination of low mineral potential and improved management means that "the original protections from the d-1 withdrawals are no longer critical for protection of the public interest."(57) The use of the word "critical" is an inappropriate standard in making its public interest determination. Since the public interest in the (d)(1) lands must be protected, withdrawals must be retained if they are in the public interest. There is no "critical" factor in determining what is or is not in the public interest. (57) Section 207 Report at 6 (emphasis added).
Litmans	Brian	Trustees for Alaska	38	NEPA	It is important to consider the public interest for all 28 million acres of withdrawals in one EIS and not defer a recommendation to maintain withdrawals to separate land management planning processes. Accordingly, the EIS should primarily provide analysis at a programmatic, landscape level. One EIS addressing 28 million acres of land spanning five different management planning areas cannot realistically or efficiently assess the many site-specific considerations that would be necessary to determine whether to revoke or partially revoke any individual withdrawal. BLM should therefore generally not attempt to evaluate site-specific or project-level activities in this EIS, and should instead mainly address the landscape-level planning question of whether leaving the withdrawals in place at this time serves the public interest. Site-specific decisions that may require modifications to PLOs in the future are better undertaken through a separate NEPA analysis that could tier to this EIS. Otherwise, the EIS and eventual decisions will suffer from the same problem as the 2006 BLM Report: the analysis won't be capable of supporting the conclusions.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Moselle	Kyle	State of Alaska	41	NEPA	Previously completed NEPA supports lifting the entire withdrawals. The completed Environmental Impact Statements (EIS) and Records of Decision (ROD) developed during preparation of the Kobuk-Seward (2007), the Bay (2007), the Ring of Fire (2008), Bering Sea-Western Interior (2020), and the East Alaska (2006) RMPs provided sufficient data and review. These lengthy federal NEPA reviews involved relevant local, state, and federal agencies, local stakeholders, and the public. These planning processes, subsequent RODs, and recent DNA conclusions clearly demonstrated the BLM considered the environmental impacts of lifting the PLOs, including those relevant to subsistence as well as threatened and endangered species, as applicable to the planning areas when they finalized the plans and the Selection 810 analyses. In accordance with 40 CFR 1500.1(b), "NEPA documents must concentrate on the issues that are truly significant [emphasis added] to the action in question, rather than amassing needless detail"(7). BLM's NOI refers to "certain procedural and legal defects in the decision-making process for PLO Nos. 7899, 7900, 7901, 7902, and 7903, including insufficient analysis under NEPA, failure to follow section 106 of the [NHPA], possible failure to adequately evaluate impacts under section 7 of the [ESA], failure to secure consent from the Department of Defense (DOD) with regard to lands under DOD administration as required by Section 204(i) of FLPMA (43 U.S.C. 1714(i)), failure to adequately analyze potential impacts on subsistence hunting and fishing, and reliance on potentially outdated data in EISs prepared in 2006 and 2007."(8) The NOI's reference to "defects" is in direct contrast with DNA conclusions signed on January 13, 2021. For example, the DNA for the Ring of Fire RMP states, "The current environmental concerns, interests, and resource values are nearly identical [emphasis added] to what was analyzed and anticipated in the Ring of Fire PRMP/FEIS despite the passage of fourteen years"(9). (7) BLM Curriculum Guide, National Environmental Policy Act, February 2019. (8) 87 FR 50875. (9) p. 2, 2021 Ring of Fire DNA.
Moselle	Kyle	State of Alaska	41	NEPA	PLOs 7899, 7900, 7901, 7902, and 7903 vindicate and advance the rights of the State created in the Alaska Statehood Compact and the rights of the public to use and enjoy these lands. Rather than respond with additional process and review under NEPA or any other federal law, BLM should proceed under the comprehensive process it has already completed to serve the public interest more quickly and responsibly.
Obed	Sarah	Doyon, Limited	46	NEPA	At the outset, Doyon continues to be disappointed and frustrated with the decision of the Department of the Interior ("DOI") to delay the implementation of the Public Land Orders ("PLOs") that led unnecessarily to this separate environmental impact statement ("EIS") and related actions. BLM determined more than fifteen years ago that the 17(d)(1) withdrawals had outlived their usefulness and could be revoked consistent with the public interest. The recent resource management planning processes for the planning areas covered by the noticed EIS-all of which included consultation with Tribes and Alaska Native Corporations ("ANCs") and significant opportunity for public participation-also concluded that it is time for most of the remaining 17(d)(1) withdrawals to go. Despite BLM's recognition that the agency's land use planning process is the most effective and preferred process for considering the lifting of withdrawals, BLM has cast that process aside in order to undertake a separate review. Provided that DOI and BLM are unwilling to revisit their decision to move forward with this revisitation of these decisions in the first instance, BLM's review must give due consideration to the prior reviews and decisions, and the substantial input that ANCs, the State, and others already have provided BLM on this issue.
Obed	Sarah	Doyon, Limited	46	NEPA	As discussed above, the potential impacts of revoking the 17(d)(1) withdrawals already have been thoroughly assessed in the Section 207 Report and respective RMP environmental review processes. The Notice of Intent nonetheless suggests an entirely new EIS process (rather than a "supplemental" review), without any reference to tiering to or incorporating by reference those prior reviews. Given BLM's and stakeholders' substantial efforts and contributions to date with regard to identifying and analyzing these potential impacts, this new process raises important questions and concerns, and BLM must commit that this process will be both objective and transparent. It is essential that BLM's review reflect a reasoned analysis. As part of this, any assumptions to be made with regard to potential activity resulting from the proposed action must be reasonable and fully explained in the Draft EIS. Consistent with BLM's NEPA Handbook, this includes, for resource development, developing and using "reasonably foreseeable development (RFD) scenarios," providing a "baseline projection for activity for a defined area and period of time." BLM NEPA Handbook, H-1790-1, p. 56.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	NEPA	BLM has authority to rescind the PLOs. The PLOs were issued unlawfully, and as such the BLM has the authority to rescind the orders. As long as the United States retains title to public lands, the Secretary retains "authority to review, reverse, amend, annul, or affirm all proceedings in the department having for their ultimate object to secure the alienation of any portion of the public lands" (2) (2) Knight v. United Land Ass'n, 142 U.S. 161, 178 (1891); West v. Standard Oil Co., 278 U.S. 200, 210 (1929) ("[S]o long as the [Interior] Department retains jurisdiction of the land, administrative orders concerning it are subject to revision.") Courts have repeatedly upheld the use of that authority to reverse erroneous Department decisions which would otherwise result in the alienation of public lands.(3) These cases reflect a longstanding judicial recognition that "[t]he secretary is the guardian of the people of [the] United States over the public lands," and is obligated to ensure that "none of the public domain is wasted or is disposed of to a party not entitled to it."(4) (3) See, e.g., Boesche v. Udall, 373 U.S. 472, 477 (1963) (collecting cases); id. at 485 (holding the Secretary may cancel leases that, due to administrative errors, were invalid at their inception); Ideal Basic Indus., Inc. v. Morton, 542 F.2d 1364, 1367-68 (9th Cir. 1976) ("[The Secretary] has a continuing jurisdiction with respect to [public] lands until a patent issues, and [the Secretary] is not estopped by the principles of res judicata or finality of administrative action from correcting or reversing an erroneous decision by his [or her] subordinates or predecessors in interest."); Silver State Land, LLC v. Schneider, 843 F.3d 982, 991 (D.C. Cir. 2016) (holding the Secretary 2 may cancel a land sale after the bidder pays the purchase price but before the patent issues, where a "fatal defect" in the proceedings would have rendered the sale unlawful (quoting Knight, 142 U.S. at 178)). (4) Knight, 142 U.S. at 181. In addition, the PLOs fall within BLM's authority to reverse. The ultimate object of the PLOs 7899 is to open public lands "to all forms of appropriation under the public land laws."(5) As such, they are a "proceeding[]" in the department having for [its] ultimate object to secure the alienation of" public lands.(6) The prior Secretary promulgated THE PLOS pursuant to Section 204 of Federal Land Policy and Management Act (FLPMA).(7) Finally, BLM's authority to reverse the PLOs based on error at its inception pursuant to the broad authority Congress delegated to manage public lands is undiminished.(8) (5) 86 Fed. Reg. 5236, 5245 (Jan. 19, 2021). (6) Knight, 142 U.S. at 178; see Udall v. Tallman, 380 U.S. 1, 19 (1965) (noting that the phrase "public land laws" refers to "statutes governing the alienation of public land"). (7) 43 U.S.C. § 1714, and Section 22(h)(4) of the Alaska Native Claims Settlement Act of 1971, 43 U.S.C. § 1621(h)(4). Neither provision restricts the reasons for which you can rescind a PLO. So, as in Boesche, (8) See 373 U.S. at 483.
Skibinski	Deantha	Alaska Miners Association	32	NEPA	BLM asserts there was insufficient analysis under the National Environmental Policy Act. The 5 previous RMPs and associated EISs each contain hundreds of pages of analyses of potential impacts. For what specific issues does BLM claim there was insufficient analysis?
Skibinski	Deantha	Alaska Miners Association	32	NEPA	As noted, AMA in good faith has provided numerous and lengthy comments throughout each of the RMP processes. Each existing RMP and EIS thoroughly addressed the issues related to revocation of the d-1 withdrawals. It is unfair to again ask the public, including AMA, to review and comment on issues for which we have already provided extensive input to BLM. We, along with many other public participants are frustrated that each new Federal administration (every four or eight years) insists on re-visiting this issue. Since recent BLM RMP plans and revisions have taken upwards of a decade to develop, at this rate BLM will never reach a point of implementing any decisions regarding these withdrawals. Thus, the RMP/EIS planning "process" becomes merely an exercise in paperwork for BLM staff, and accomplishes little or nothing in the way of managing actual projects on, and products, from, Federal land. AMA and other organizations that have participated in the BLM land planning process for decades find it incredibly frustrating that 50 years after these temporary withdrawals were put in place, they still stand. BLM has analyzed and re-analyzed whether or not to revoke the withdrawals, made numerous recommendations to do so, but has largely not implemented decisions BLM previously made.
Skibinski	Deantha	Alaska Miners Association	32	NEPA	Sixteen years ago, BLM's own June 2006 report to Congress ("Section 207 Alaska Land Transfer Acceleration Act, A Review of d-1 Withdrawals") determined that the withdrawals were largely outdated and unnecessary. The following is from page 5 Summary section of the Executive Summary of the "Report to Congress June 2006 Sec. 207 of the Alaska Land Transfer Acceleration Act": "The ANCSA withdrawals were intended to protect resources, to prevent encumbrances that could interfere with State or Native entitlements, and to study lands for further inclusion into conservation units. In the early 1970s when the lands were withdrawn under Section 17(d)(1) and (d)(2) of the ANCSA, there were few regulations to oversee the development of the public lands and protect important natural resources. Since then Congress has passed significant legislation for the orderly development of the public lands and to protect the environment from adverse impacts. The BLM has 1) developed extensive oil and gas lease stipulations, required operating procedures (ROPs), and surface management regulations for miners, which are now in place and sufficient to assess and protect the resources in most situations, 2) the selection period is over and the BLM is completing conveyance of State and Native entitlements, and 3) more than 102,097,900 acres have been withdrawn by ANILCA and incorporated into CSUs sufficient to protect those lands. In summary, there are more than 158,958,000 acres of d-1 withdrawals in Alaska. Many of these d-1 withdrawals have outlived their original purpose. It may be appropriate to lift many of d-1 withdrawals and the most effective and preferred means in managing this process is through BLM's land use planning process. Approximately 152,181,400 acres or 95% of these withdrawals could be lifted consistent with the protection of the public's interest." BLM and the American public do not need another multi-year process and hundreds of pages of analysis to address this issue. It is time to act.
Bristol	Tim	SalmonState	39	NEPA	We also encourage BLM to conduct a landscape level analysis to evaluate the intrinsic value of D-1 lands. By doing so, BLM can limit the scope of review in the EIS to broadly evaluate potential impacts to D-1 lands that climate change and future mineral and oil and gas development may have on important fish and wildlife habitat, landscape connectivity, subsistence resources, and cultural and traditional uses of those lands. It is appropriate for BLM to conduct this landscape level analysis due to the geographic scope of the D-1 lands and the policy level decision-making around whether the D-1 withdrawals should be retained to protect the public interest. Any site-specific issues can be deferred and addressed during subsequent Resource Management Plan (RMP) review processes.
Jensen	Meg (Margaret)	N/A	29	NEPA	Manageability of this EIS should be reevaluated. BLM should consider dividing this analysis into several project areas, to provide more meaningful analysis and public involvement for each project area. We need to remember, the current proposed analysis area is almost the size of the Lower 48 states: way too large to cover in one document. When was the last time you read an environmental analysis for a proposed activity for the entire continental US?

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Karns	Olivia	Tanana Chiefs Conference	35	NEPA	NEPA EIS studies are most often designed to justify proposed major federal actions by reducing significant impacts through interdisciplinary analysis and rendering mitigation measures. In this case, the ANCSA 17(d)(1) PLOs should be retained in this phase of EIS analysis and carried forward in future NEPA actions managed through the RMPs. In the public interest for all affected communities, retaining (d)(1) PLOs offers the most conservation-oriented land policy that may contribute to further conservation and anticipated restoration of wild food resources upon which all affected rural communities depend on for sustainability of the rural, Alaska Native way-of-life.
Litmans	Brian	Trustees for Alaska	38	NEPA	We urge BLM to exercise its inherent authority to rescind the unlawful public land orders (PLOs) that purport to revoke Section 17(d)(1) withdrawals and, through the EIS process, decide to retain withdrawals across all 28 million acres of land.
Litmans	Brian	Trustees for Alaska	38	NEPA	In addition to being stale, the underlying analysis presented in the Section 207 Report is inadequate to support lifting of Section 17(d)(1) withdrawals because it failed to adequately assess resources and impacts to those resources from lifting of the (d)(1) withdrawals. In the Section 207 Report, BLM provided the following discussion of its recommendation to revoke withdrawals on 95% of the (d)(1) lands: To determine if the d-1 withdrawals were needed to protect the public interest in the lands, BLM gave full consideration to the opportunity to achieve better management of federal lands, and to meet the needs of state and local residents and their economies through a public involvement process and resource analysis. The ANCSA withdrawals were intended to protect resources, to prevent encumbrances that could interfere with State or Native entitlements, and to study lands for further inclusion into conservation units. In the early 1970s when the lands were withdrawn under Section 17(d)(1) and (d)(2) of the ANCSA, there were few regulations to oversee the development of the public lands and protect important natural resources. Since then Congress has passed significant legislation for the orderly development of the public lands and to protect the environment from adverse impacts. The BLM has 1) developed extensive oil and gas lease stipulations, required operating procedures (ROPs), and surface management regulations for miners, which are now in place and sufficient to assess and protect the resources in most situations, 2) the selection period is over and the BLM is completing conveyance of State and Native entitlements, and 3) more than 102,097,900 acres have been withdrawn by ANILCA and incorporated into CSUs sufficient to protect those lands. . . . In summary, there are more than 158,958,000 acres of d-1 withdrawals in Alaska. Many of these d-1 withdrawals have outlived their original purpose. It may be appropriate to lift many of d-1 withdrawals and the most effective and preferred means in managing this process is through BLM's land use planning process. Approximately 152,181,400 acres or 95% of these withdrawals could be lifted consistent with the protection of the public's interest. Many of these withdrawals would remain segregated or require additional administrative procedures (NEPA/decisional) before any development can take place. Because remaining segregations overlap the d-1 withdrawals, lifting these withdrawals would provide immediate entry on only 21,459,700 acres or 41% of the d-1s recommended to be lifted. A majority of these lands have low to medium locatable mineral potential with a few scattered areas of high potential. Very few of these lands have any known potential for coal, oil or gas. Most lands with medium to high locatable mineral potential, or known leasable mineral potential, were previously opened, or selected by the State of Alaska or Native corporations. This and more stringent requirements for managing development, means the original protections from the d-1 withdrawals are no longer critical for the protection of the public's interest. The d-1 withdrawals are an unnecessary encumbrance on the public land records complicating interpretation of the title records by the public.(54) (54) Section 207 Report at 5-6. BLM gave the following reasons in support of its recommendation to maintain withdrawals on roughly 7 million acres (including 4 million acres on BLM-administered lands): "In contrast, it is apparent that the retention of approximately 6,776,600 acres of d-1 withdrawals is warranted to provide temporary protection on specific sensitive areas. Maintenance of these withdrawals is appropriate until another withdrawal is put into place." Section 207 Report at 6.
Litmans	Brian	Trustees for Alaska	38	NEPA	This rationale can be broken down into the following parts: 1. To make its public interest determination, BLM considered the opportunity to achieve better management of federal lands and to meet the needs of state and local residents and their economies. 2. Laws have improved since the early 1970s, now providing for the orderly development of public lands and protection of the environment. 3. BLM has developed extensive oil and gas lease stipulations, required operating procedures, and surface management regulations, which are sufficient to protect resources in most situations. 4. There is no need for the withdrawals anymore, now that the selection period is over and BLM is completing conveyance of the State and Native land entitlements. 5. More than 102 million acres have been permanently withdrawn by ANILCA and incorporated into conservation system units (CSUs) that are sufficient to protect those lands. 6. Statewide, the lifting of withdrawals would allow immediate mineral entry on only 21.5 million acres of the withdrawn lands (including 14 million acres on BLM-administered lands). Most of these lands have low to medium locatable mineral potential. Most of the lands with medium to high locatable potential, or known leasable mineral potential, have already been opened to mineral entry or selected by the State or Native corporations. 7. The low threat of immediate mining activity, combined with more stringent requirements for managing development, means the original withdrawals are no longer critical for protection of the public interest. 8. The withdrawals are an unnecessary encumbrance on the public land records, complicating interpretation of the title records by the public.
Litmans	Brian	Trustees for Alaska	38	NEPA	Finally, the eighth part of the rationale, that the (d)(1) withdrawals are an unnecessary encumbrance on public land records, is only relevant if the withdrawals are otherwise unnecessary to protect the public interest. In summary, the rationale given by BLM in support of its public interest determination is very general, omits important factors including foremost the consideration of impacts to subsistence resources and how the climate crisis further impacts resources, and relies on several factors that are either irrelevant or applied in so general a fashion as to shed no light on what public values may exist on particular (d)(1) lands and whether those values will be adequately protected if the (d)(1) withdrawals are lifted. The Section 207 Report includes no site-specific discussion of the 95% of withdrawn lands that are recommended for opening, and why it is consistent with the public interest to open these specific lands. There is also no explicit discussion of the environmental consequences of lifting withdrawals from 95% of the (d)(1) lands, a glaring omission in light of the FLPMA policies applicable to management of the public lands and the requirements of Section 810 of ANILCA to consider the effect of such land management decisions on subsistence resources. BLM's rationale fails to support its conclusion that revoking 95% of the (d)(1) withdrawals is consistent with the public interest. BLM should acknowledge the inability of the Section 207 Report to support its own conclusion as it proceeds in this EIS process.

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Litmans	Brian	Trustees for Alaska	38	NEPA	BLM's Analysis of "Public Interest" in Previous RMPs and EISs is Stale and Inadequate. In the EISs prepared for RMP revisions, beginning in 2006, BLM stated that the RMP revision planning process would be "the means to assess resource values and make recommendations on opening lands withdrawn by the ANCSA (d)(1) orders."(58) (58) See e.g., U.S. BLM, East Alaska Proposed RMP and Final EIS, June 2006, at 321. BLM prepared EISs for East Alaska, Ring of Fire, Bay, and Kobuk-Seward between 2006 and 2008. BLM completed its EIS analysis for Eastern Interior in 2017 and Bering Sea Western Interior in 2021. The EISs for East Alaska, Ring of Fire, Bay, Kobuk-Seward, and arguably Eastern Interior are stale because they do not address the recent developments and accelerated changes associated with the climate crisis. More importantly for this EIS analysis, the previous assessment of whether to lift (d)(1) withdrawals throughout all of these RMPs is inadequate because none of these analyses adequately assess the impacts of such action on subsistence resources or adequately consider the ongoing and escalating climate crisis and its associated impacts on all resources, including subsistence resources. For example, in the East Alaska EIS, the assessment of impacts to subsistence use is so general to be of little use in evaluating the impacts of lifting withdrawals. In that assessment, BLM recognizes that opening 85% of the management area to mineral extraction would have impacts on fish, wildlife and their habitats but that required operating procedures (ROPs) would minimize impacts.(59) BLM does not provide any assessment of the degree or nature of impacts. Nor does BLM provide any detail on how or why impacts would be minimized. BLM further diminishes possible impacts by stating the likelihood of large-scale activity is small and that, therefore, any impacts to subsistence would be localized and minimal.(60) BLM provides no substantiated grounds or support for this conclusion. (59) Id. at 576. (60) Id. These types of statements are found in all of the EISs prepared by BLM for its resource management plan revisions across the state. Due to the overly broad and unsupported conclusions regarding impacts associated with (d)(1) revocations, BLM should decline to act on those recommendations pending development of analyses sufficient to support decisions to lift specific withdrawals. It should use the current EIS process to disavow the recommendations to lift (d)(1) withdrawals contained in these RMP EISs, broadly assess the impacts of climate change to ecosystems and subsistence across Alaska, and commit to further place-based assessments prior to lifting withdrawals in the future.
Litmans	Brian	Trustees for Alaska	38	NEPA	The Trump administration issued PLOs 7899-7903 in violation of the law, and the Department of the Interior (Interior) should rescind them without delay on that basis. As several of the undersigned groups have previously described, the prior administration issued PLO 7899, which purported to lift withdrawals in the Kobuk-Seward Peninsula, in violation of the NEPA and FLPMA.(61) As described in the March 24, 2021, letter, Interior relied on a NEPA analysis that did not adequately assess the impacts of lifting withdrawals because it (i) unreasonably limited the scope of its analysis to 2028; (ii) failed to assess the impacts of climate change in the region; and (iii) failed to assess how lifting withdrawals could contribute to climate change. It also violated FLPMA's public notice and participation requirements. (61) See Alaska Wilderness League, et al., Request re: Public Land Order 7899 lifting ANCSA (d)(1) withdrawals in the Kobuk-Seward Peninsula, Alaska (Mar. 24, 2021) (attached).
Litmans	Brian	Trustees for Alaska	38	NEPA	The decisions to lift withdrawals in the four PLOs that have not taken effect suffer from similar legal flaws. They rely on NEPA analyses that fail to assess climate change adequately. PLOs 7900 (Ring of Fire), 7901 (Bay), and 7903 (East), like PLO 7899, rely on NEPA analyses prepared over a decade ago (2008, 2007, and 2007, respectively), all of which contain outdated and inadequate assessments of climate change and many other impacts.(62) While PLO 7902 (Bering Sea-Western Interior) relies on a more recently completed NEPA analysis, that analysis also fails adequately to assess the impacts of climate change on the region or how lifting withdrawals would exacerbate the problem. In addition, in the same manner as described in our March 2021 letter regarding PLO 7899, Interior failed to meet FLPMA's public participation requirements for PLOs 7900-7903. (62) See supra Sec. III. Interior itself has rightly identified several "procedural and legal defects" associated with the issuance of the PLOs, "including insufficient analysis under NEPA . . . failure to adequately analyze potential impacts on subsistence hunting and fishing, and reliance on potentially outdated data in [old] EISs."(63) Interior also has recognized "its inherent authority to revisit decisions based on identified legal errors."(64) This authority to revisit and rescind unlawful public land decisions is well-recognized and goes back decades.(65) (63) 87 Fed. Reg. 50,875, 50,875 (Aug. 18, 2022) (third column). (64) Id. (65) See March 2021 letter at 1-2; Boesche v. Udall, 373 U.S. 472, 477, 485 (1963) (describing long-standing principle that Interior may rescind public land disposition decisions entered into unlawfully). We urge Interior to exercise its authority to rescind the unlawful PLOs at the beginning of the EIS process. Doing so would create a clean slate for Interior's consideration of the value of protecting these lands going forward. It would help ensure that the prior "decision based on a legally insufficient EIS counts for nothing."(66) This would further NEPA's purposes, which mandate that "[e]nvironmental impact statements shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made."(67) If BLM does not rescind the unlawful PLOs at the beginning of the process, we encourage BLM to further extend the effective date of the opening order for PL 7899 to ensure that lands in the Kobuk-Seward area are not opened to development while BLM is in the process of considering the public interest in maintaining withdrawals. (67) See 40 C.F.R. § 1502.2(g). See also Metcalf v. Daley, 214 F.3d 1135, 1143-46 (9th Cir. 2000) (backfilling environmental review once "the die already ha[s] been cast" violates NEPA); Pit River Tribe v. U.S. Forest Serv., 469 F.3d 768, 785-87 (9th Cir. 2006) (same). (68) See Friends of Yosemite Valley v. Kempthorne, 520 F.3d 1024, 1037-38 (9th Cir. 2008) (agency may not, as part of its baseline, assume the existence of an unlawfully adopted agency plan).

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Moselle	Kyle	State of Alaska	41	NEPA	In sum, the proposed EIS process is simply unnecessary, as BLM has previously completed adequate analyses of the potential effects of lifting the ANCSA Section 17(d)(1) withdrawals during the normal land use planning processes for the five cited Resource Management Plans (RMPs): Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire. Moreover, continued retention of these obsolete d-1 withdrawals forces the BLM into unprecedented regulatory contortions and simultaneously frustrates the State's ability to fulfill its remaining land entitlement. Furthermore, BLM recently concluded, for purposes of the Alaska Native Vietnam Veterans Allotment Program under Section 1119 of the Dingell Act, that the same defects this process asserts to address did not pose issues for these same areas.(2) The State is in full support of this finding for the same reason it believes this process is wholly unnecessary - that purported defects are, at most, superfluous, inconsequential, and irrelevant to the proper execution of the existing PLO orders. In addition to the long history and process laid out below, this recent finding compels the conclusion of this process in favor of promptly executing the existing PLOs. (2) Finding of No Significant Impact (FONSI) Alaska Native Vietnam-Era Veterans Land Allotment Program Environmental Assessment, DOI-BLM-AK-0000-2021-0005-EA (April 21, 2022). https://eplanning.blm.gov/eplanning-ui/project/2014748/570 .
Moselle	Kyle	State of Alaska	41	NEPA	More recently, BLM recommended opening approximately 27 million acres of land to allotment selection under the Alaska Native Allotment Program following an Environmental Assessment and Finding of No Significant Impact.(10) BLM reevaluated the same suite of lands that are the subject of the current NOI and concluded that selections by eligible Vietnam-era Native Alaskans should be allowed within the d-1 withdrawal areas. The State argued in our comments that the Environmental Assessment process was simply unnecessary, as adequate analysis of the effects of lifting the entire withdrawals has been completed during the normal land use planning process (see enclosed State of Alaska comment letter dated September 21, 2021). The BLM failed to adequately explain or justify why certain selections could be allowed while retaining the d-1 withdrawals for other selections, particularly those by the State and Alaska Native Corporations. Regardless, to the extent that BLM believes that additional analysis was necessary, that analysis was completed during the 2021 Environmental Assessment, otherwise it would not have been possible for BLM to open these same lands to entry and selection by eligible Vietnam-era Native Alaskans. (10) Recommendation Memo, Environmental Assessment, DOI-BLM-AK-0000-2021-0005-EA Native Vietnam-Era Veterans Land Allotment Program. (April 21, 2022) https://eplanning.blm.gov/eplanning-ui/project/2014748/570 . BLM's approach of parsing out and reevaluating the same suite of lands for different and potentially competing conveyances is unprecedented and concerning. Previous PLOs implementing RMP decisions have never needed additional NEPA analysis, and BLM has not provided an adequate explanation for this apparent change in position or procedure. For example, PLO 7874 issued on October 4, 2018, did not require further NEPA analysis when it partially revoked five PLOs analyzed through the Bay RMP and associated EIS.
Obed	Sarah	Doyon, Limited	46	NEPA	"insufficient analysis under NEPA," without any explanation as to how specifically it believes the analysis was insufficient
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	NEPA	If all or some of ANCSA 17(d)(1) withdrawals were revoked, the allowed land uses on those areas may change. According to BLM, activities permitted on these areas depend on several factors (e.g., overlapping withdrawals, land status, and the overarching approved resource management plans). EPA recommends the EIS explain the process for determining if tiered NEPA analysis is triggered for future activities (e.g., mining exploration).
Skibinski	Deantha	Alaska Miners Association	32	NEPA	If BLM does choose to proceed as proposed in the August 16, 2022 notice, AMA recommends that BLM prepare a Supplemental EIS to specifically address the "legal defects" that caused BLM to suspend implementation of the revocation decisions issued by the Secretary of Interior in January 2021. These "legal defects" are referred to in the August 16 notice but to our knowledge have never been articulated in detail. The first step in any new EIS process, therefore, is for BLM to clearly articulate what they consider to be the legal defects in the previous 5 RMPs/EISs/. The new Supplemental EIS process needs only to address these specific "defective" issues. BLM should use this Scoping process to identify what new information it believes needs to be considered.
Demoski	Ernest	Deloy Ges, Inc.	56	Public Outreach	Finally, the e-planning tool in the EIS process is intended to make the evolving document(s) and process accessible. Our experience, however, with the BSWI was that the document was inaccessible in multiple ways and there an inequitable process in understanding the impacts that the EIS Alternatives would have on our traditional lands. The draft BSWI was a multi-volume lengthy document of 1,033 pages long, full of agency-terminology and hard-to-download maps, only available electronically to a region that has limited bandwidth or no Internet. In any future EIS Scoping efforts, in order to communicate analysis in RMP and EIS documents, it is imperative that hard copies of the documents, accessible and understanding language and concept, are sent out to planning area communities with low-bandwidth connectivity.
Wax	Lisa	N/A	27	Public Outreach	Uh 28 million acres. That is enormous. During the September 26th meeting question-and-answer, I inquired as to why all the folks on the East Alaska Resource Management Plan notification lists were not notified. BLM answered that they were notified on September 7th. The next day the Glennallen field manager, Marnie Graham verified that indeed the East Alaska Resource Management Plan folks were not notified, so I'd like to make record of that, so that can be corrected in the notes from last session. Similarly, that's, I mean, it's similar to the recent Thompson Pass comment period, where we were all left in the dark, while enormous decisions about our neighborhood were being pushed through. Meanwhile there's been a week and a half before this meeting, and still none of us have been notified. So I'm requesting both notice as promise to be presented, and to the interested ones, the East Alaska Research Management Plan parties
McQueen	Mike	N/A	28	Public Outreach	I wish to be included in this planning process. Why have I not heard of this effort until the morning of October 14. Why was I unaware of the virtual meetings that were held in September 2022. Apparently your public outreach is somewhat deficient in that I actively read the news and have recently been involved in a local BLM planning process regarding lands in the Thompson Pass area. More comprehensive public notice is needed.

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Jensen	Meg (Margaret)	N/A	29	Public Outreach	This public process needs to be taken to the communities affected by the EIS. Notification of scoping for this EIS was 3 advertisements in our local paper with an almost unintelligible lead in. I myself overlooked the ads, until I read a reference to this process elsewhere online. No informal information was forthcoming from BLM officials in our area. For many people here, I am sure the ads meant nothing, weren't read(only an advertisement?) - yes, they were overlooked. If they did read the advertisement, they didn't recognize its relevancy. Also, three zoom meetings over a 3 week period seems inadequate public process. This public process needs to be expanded and include in person meetings and presentations in our communities. With a BLM office in Glennallen, in the heart of the Eastern Planning Area, this should not be difficult to do. Other communities have schools which could be utilized for meetings. How about signs in the local post offices? We all go to the post office! Explanation of ANCSA is essential. Many Alaskans have never heard of it before, I am sure that a discussion of this project at a Copper Valley Chamber of Commerce meeting would add much to this process.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Cooperating Agency Relationships	The Bureau must also provide a meaningful opportunity for Tribes to participation as cooperating agencies.(17) Cooperating agency status and government-to-government consultation are separate and distinct mechanisms for Tribes to engage with the Bureau. During the Bering Sea-Western Interior planning process, the Bureau failed to provide adequate opportunities for cooperating agency Tribes to collaborate with the Bureau. For example, the Bureau developed Alternative E-the alternative selected as the proposed and approved plan-without input from cooperating agency Tribes. Bureau officials initially assured cooperating agency Tribes that they would have an opportunity to review any newly developed alternatives before the agency finalized the Proposed Resource Management Plan. Months later, cooperating agency Tribes received an email from the Bureau that there would be no additional engagement with cooperating agencies. (18) (17) 40 C.F.R. § 1501.8(a). (18) E-mail from Callie Webber, Acting Anchorage District Manager, Bureau of Land Management, to Bering Sea-Western Interior Resource Management Plan Cooperating Agencies (May 13, 2020).
Newman	Matt	United Tribes of Bristol Bay	37	Cooperating Agency Relationships	The Bureau must also provide a meaningful opportunity for Tribes to participation as cooperating agencies. (18) Cooperating agency status and government-to-government consultation are separate and distinct mechanisms for Tribes to engage with the Bureau. During the virtual public scoping meetings for this environmental impact statement process, Bureau officials stated that they mailed consultation and cooperating agency invitations to Tribes at the end of August. UTBB strongly encourages the Bureau to follow up on these invitations to ensure Tribes have an opportunity for meaningful participation in this process moving forward. (18) 40 C.F.R. § 1501.8(a).
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Cooperating Agency Relationships	During the virtual public scoping meetings for this environmental impact statement process, Bureau officials stated that they mailed consultation and cooperating agency invitations to Tribes at the end of August. The Tribal Commission strongly encourages the Bureau to follow up on these invitations to ensure Tribes have an opportunity for meaningful participation in this process moving forward. The Bureau should timely approve any requests the agency receives from Tribes for cooperating agency status to ensure all Tribes have an opportunity to participate as cooperating agencies early in the process, including in the development of alternatives.
Demoski	Ernest	Deloy Ges, Inc.	56	Cooperating Agency Relationships	Deloy Ges also suggests that the EIS Scoping and writing process included representation and involvement of Indigenous professionals and scholars to co-design, co-compile, and co-write the proposed EIS, in addition to any impacted Tribes that apply and become Cooperating Agencies in their government-to-government trust relationship with the US Department of Interior Bureau of Land Management. BLM in upholding the recent Instructional Memoranda and Executive Orders 3403, 13175 and 14008 can create an interdisciplinary EIS development and writing team(s) that includes a cross-section of required BLM staff, along with Indigenous scholars and experts and representative Tribes, is an opportunity to increase the mutual understanding, relations and capacity of the Federal government and involved Tribes to strengthen policy and our democratic processes.
Karns	Olivia	Tanana Chiefs Conference	35	Cooperating Agency Relationships	TCC also possesses agency expertise over restricted Indian lands by managing a self-governance compact with the Bureau of Indian Affairs. Organized soon after the self-governance statute allowed regional service providers to contract federal services, TCC's Realty program is the leading program in Alaska. Realty staff regularly contribute to commenting on federal environmental reviews, managing cultural resources, valuing Native allotment lands, conducting forest resource assessments, investigating trespass on allotments and advocating for restricted land owners. TCC's Realty program provided comments to BLM on the Alaska Native Vietnam War Era Veterans Land Allotment program and continues to assist veterans who need assistance navigating the application process. With the demonstrated agency expertise, TCC requests to be a cooperating agency in the (d)(1) lands EIS process over restricted land and resources issues.
Obed	Sarah	Doyon, Limited	46	Cooperating Agency Relationships	Doyon appreciates BLM's recognition that "[t]he input of Alaska Native Tribes and Corporations is of critical importance to this EIS." 87 Fed. Reg. at 50876. As reflected in these comments, Doyon has significant concerns regarding this EIS and related actions concerning the affected PLOs. The Notice of Intent states that "BLM will hold individual consultation meetings upon request." Id. Doyon hereby formally requests that BLM contact us to hold individual consultation meetings on this EIS.
Jensen	Meg (Margaret)	N/A	29	Purpose and Need	The purpose and need of this project needs to be clearly articulated. What is the driver for the EIS? It is unclear what BLM is trying to achieve and why? Is this an important task to be done now, do we really need to go through this process, and if so, why? The public deserves to know. Maybe instead we should work on an EIS which addresses how to improve public access to BLM lands in Alaska - something I am sure many Alaskans would appreciate more!
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Purpose and Need	We recommend the EIS include a clear and concise statement of the underlying purpose and need for the proposed project, consistent with the implementing regulations for NEPA. An appropriately defined purpose and need statement is of critical importance to setting up the analysis of a range of reasonable alternatives in the EIS.

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Karns	Olivia	Tanana Chiefs Conference	35	Purpose and Need	The focus of the proposed (d)(1) EIS process on the adverse effects the BLM action would have on subsistence economies and climate change begs for an approach that elevates values and demographics of affected Alaska Native communities above conventional procedures in BLM's NEPA EIS analysis. Historically, nearly all EIS studies in Interior Alaska elevate the natural environment over the human environment. For this currently proposed action, the EIS analysis needs to treat the human environment as an integrated equal subject as the natural environment since the intact natural boreal forest environs has provided wild food resources to affected communities for millennia. Sustainability of rural Alaska Native communities should be the fundamental concept, or desired future condition, of the Purpose and Need Statement of the proposed (d)(1) lands EIS. Would the revocation of the (d)(1) PLOs diminish the wild food productivity of intact ecosystems that support subsistence economies of rural communities? Would retaining the (d)(1) PLOs offer conservation measures that preserve wild food resources providing sustenance to rural Alaska Native communities while fulfilling the sustained yield paradigm of BLM's land management mission. The forthcoming interdisciplinary analysis in the (d)(1) EIS needs to emphasize planning criteria with respect to the sustainability of descendent communities in their traditional land territories.
Litmans	Brian	Trustees for Alaska	38	Purpose and Need	If BLM concludes - as it should - that the PLOs were unlawful and rescinds them, the purpose and need for the EIS should be to consider whether to recommend retaining withdrawals on Section 17(d)(1) lands to protect the public interest in important subsistence and other resources in light of the climate crisis. If the PLOs are rescinded, the existence of the withdrawals will be the status quo and retaining the withdrawals should be the No Action Alternative, and the alternative that we encourage BLM to identify as the preferred alternative and ultimately select.68 The EIS is necessary because the recommendations underlying the PLOs rely on inadequate NEPA analysis and an outdated and deficient 2006 Report, as discussed above in Sections II and III. The purpose and need for this EIS is to provide an updated and legally adequate analysis of all factors bearing on whether maintaining withdrawals is in the public interest.
Bristol	Tim	SalmonState	39	Range of Alternatives	BLM has already identified procedural and legal deficiencies associated with the issuance of PLOs 7899-7903. The unlawfully issued PLOs should therefore not be the focus of the EIS. While the EIS can provide the rationale to ultimately rescind the PLOs, the EIS should focus on the real issue - should the Secretary retain the D-1s to protect the public interest. For that reason, we encourage BLM to identify retaining the D-1 protections as the no action alternative and the preferred alternative.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Range of Alternatives	It is essential that the Bureau meaningfully engage with Tribes early in this process, including in the agency's development of alternatives. The Bureau should provide opportunities for Tribes to collaborate with the agency in crafting all alternatives. The Tribal Commission also recommends that the Bureau consider developing a Tribal alternative as part of this process. A Tribal alternative could focus on the health and well-being of planning area communities, including retaining protections for the lands and resources that support these communities. A Tribal alternative could also incorporate co-stewardship principles to ensure that Tribes have a meaningful role in future decision-making processes related to the lands and resources at issue here.(16) (16) Bureau of Land Management, Instruction Memo. No. 2022-011, Co-Stewardship with Federally Recognized Indian and Alaska Native Tribes Pursuant to Secretary's Order 3403 (Sept. 13, 2022).
Karro	Loren	N/A	55	Range of Alternatives	The EIS should consider an Alternative that keeps the majority of the lands in federal, protected status. This would be in keeping with furthering the 30 X 30 objective of the America the Beautiful Initiative, it would be a major aid in protecting the rich carbon and methane sinks of Arctic permafrost and tundra, it would protect subsistence activities as required under Federal guidelines, it would help protect neighboring communities from adverse physical and mental stresses, and it would keep the lands available for the final conveyances of selected lands and for the selection of personal allotments as allowed under the Dingall Act. At the very least, I would recommend an Alternative that delays any further action or consideration of land status change, except for the aforementioned conveyances in line with Alaska Native Settlement Act and the Dingal Act, until the final conveyances of lands are finalized, sometime after the end of 2025. I believe that each Alternative being considered should include detailed analyses of the Alternative's effect on future legal land conveyances; on the furtherance of the goals set by the Federal directives and policies relative to Climate Change, including but not limited to the 2022 National Strategy for the Arctic Region, the America the Beautiful Initiative, and the Executive Order on Tackling the Climate Crisis at Home and Abroad; on all the possible effects to subsistence uses and activities on both target and neighboring lands; on all the possible effects on the local communities physical and mental health and on the community resilience to future climate emergencies such as major coastal storms; and on effects on local cultural traditions and land uses.
Litmans	Brian	Trustees for Alaska	38	Range of Alternatives	In at least one alternative, the EIS should consider retaining all of the Section 17(d)(1) withdrawals. As noted above, the EIS should not attempt to walk through every withdrawal and evaluate the impacts of individual partial or full revocations. The EIS should leave individual decisions to future land planning processes and project-specific NEPA analyses, and mainly address whether retaining withdrawals as the default position - subject to potential subsequent modifications where approved following appropriate analysis - serves the public interest better than simply opening millions of acres to all forms of appropriation. If BLM does not rescind the PLOs before completing the EIS, the purpose of the EIS should be to consider whether to rescind the PLOs because of the legal flaws underpinning those EISs. In addition, the EIS should consider the public interest in retaining withdrawals and should consider an alternative that recommends rescinding the PLOs, including the PLOs lifting withdrawals in the Kobuk-Seward area, and recommends retaining all withdrawals to protect the public interest.
Quick	Marla	NANA Regional Corporation, Inc.	61	Range of Alternatives	BLM has given notice that it intends to consider a range of alternatives in the EIS, which may include recommending full or partial revocation of the ANCSA 17(d)(1) withdrawals; establishment of new withdrawals to protect resources prior to revocation of ANCSA 17(d)(1) withdrawal; or retention of some or all of the ANCSA 17(d)(1) withdrawals. NANA provides the following public comments relevant in part to this potential range of alternatives. NANA reserves further input or feedback through consultation with BLM. 1.Range of Alternatives Must Not Include No Action. In its notice of preparation of an EIS, BLM included a range of potential alternatives. That range did not include the alternative - No Action. NANA supports excluding the alternative of No Action from the range of potential alternatives that could be included in the EIS. Although NANA reserves the right to object to full or partial revocation of certain ANCSA 17(d)(1) withdrawals, NANA does not believe that a potential alternative of no action is a viable option at this time, especially considering the need for qualifying Alaska Native Vietnam-era Veterans to make land selections within a statutory time limit.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Range of Alternatives	We recommend that the EIS include a range of reasonable alternatives that meet the stated purpose and need for the project, are responsive to the issues identified during the scoping process and include options for avoiding significant environmental impacts. This will ensure that the NEPA analysis provides agency decision makers and the public with information that defines the issues and identifies a clear basis for the choices made among the range of alternatives, as required by NEPA. We recommend that the EIS identify the specific criteria that were used to: 1) develop the range of reasonable alternatives, 2) eliminate certain alternatives, and 3) select the agency preferred alternative. In addition, we recommend the EIS provide a clear discussion of the reasons for the elimination of alternatives that are not evaluated in detail.
Hotch	Jones	Chilkat Indian Village	30	Range of Alternatives	We request all D1 withdrawals be maintained until co-management opportunities and climate change impacts can be addressed through BLM planning activities. We would like to see alternatives within the DEIS for D1 withdrawals that include specific guidelines for establishing co-management agreements with Tribal governments, and alternatives that focus on the need for climate change adaptation, resilience and mitigation planning through ongoing scientific research across all BLM lands to understand the impacts of climate change on existing land use activities, and the additional impacts on climate change for any future permitted activities. BLM can use this DEIS process to define guidance for climate change planning for the agency within Alaska.
Jensen	Meg (Margaret)	N/A	29	Range of Alternatives	In addition to 'proposed action' and 'no action' alternative in these EIS, why not include an alternative that includes improved access to public lands, or one that includes improved access for business development, or one that includes improved access for community development(land disposals for housing, enhancing tourism and other local businesses). Where Native corporations have blocked off development along highways for local business, housing and services, why not have an option of exchange of land for lifting of withdrawal as a possible development?
Karns	Olivia	Tanana Chiefs Conference	35	Range of Alternatives	Consequently, there is a need for the (d)(1) environmental review to develop a tribal alternative that integrates traditional knowledge, demographics, socioeconomic, health impacts, historic and contemporary use areas, wild-food economies, legacy user-conflicts across traditional territories, traditional cultural properties and associated contributing cultural resources among all affected Alaskan Native communities. The opportunity for developing a tribal alternative is timely and appropriate for this proposed action. Widespread concern over the state of wild salmon across the geographies of Alaska Native communities in the (d)(1) land areas is a novel and immediate challenge for resource management. There is a growing need for the conservation of terrestrial salmon spawning and rearing streams for the restoration of impacted Yukon and Kuskokwim rivers fish populations. Habitat conservation for wild salmon stocks would most probably erode further if (d)(1) PLOs are revoked given the prospect of a new phase of habitat fragmentation across intact natural landscapes. Revocation of (d)(1) would certainly invite further user conflicts by non-local users. These currently observed effects, along with more intensive wildland fire regimes, have accentuated degradation to high-value watersheds across the boreal forest ecosystem in Alaska. The descendent communities across the geographies of the proposed (d)(1) revocation action deserve to be heard thoroughly about their traditional use of land, water and wildlife resources and integrated with the opportunities of co-stewardship across federal public lands.
Newman	Matt	United Tribes of Bristol Bay	37	Range of Alternatives	The Advisory Council on Historic Preservation's regulations implementing the Section 106 process require agency officials to "ensure that the section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking."(33) UTBB strongly encourages the Bureau to initiate the Section 106 process early so that it can inform the development of alternatives considered in the draft environmental impact statement.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Range of Alternatives	Similarly, the environmental analysis processes the Trump BLM used to develop its land management decisions and environmental impact analysis for lifting the PLOs was fatally flawed. In addition, in conducting the environmental analysis, the BLM denied Alaska tribes the Principals of Environmental Justice and the Federal Trust Duty by not only ignoring the input of Norton Bay Inter-Tribal Watershed Council's and of federally recognized tribal governments on designation of Areas of Critical Environmental Concern and the need to protect critical fish and wildlife habitat, but it also failed to conduct adequate government-to-government consultation using the cover of the COVID-19 pandemic to rush through the planning process to obtain a final record of decision before the Trump administration left office in January 2021. The Biden administration can reverse this calamity by considering a no-action alternative as the preferred alternative that rescinds all of these orders and leaves protections in place for the entire 28 million acres of lands in question.
Not Provided	Not Provided	Hunter-Angler Master Form Letter	79	Direct-Indirect Impacts	I applaud the BLM for identifying legal defects in the decision-making process that would lift the existing D-1 safeguards from these 28 million acres of public land. As the BLM moves forward with the process, it should conduct robust analyses of the potential impacts of opening these lands to industrial development on fish and wildlife habitat, recreational and subsistence hunting and fishing, backcountry recreation, tourism, and climate resilience. These impacts were not adequately addressed in previous planning processes. Until a more appropriate land management prescription is available to adequately safeguard Alaska's important fish and wildlife habitat on these 28 million acres of public land, I urge the BLM to keep the existing D-1 safeguards in place.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	45	Direct-Indirect Impacts	The TRCP applauds the BLM for identifying legal defects in the decision-making process that would lift the existing D-1 safeguards from these 28 million acres of public land. As the BLM moves forward with the EIS process, the agency should conduct robust analyses of the potential impacts of opening these lands to industrial development on fish and wildlife habitat, recreational and subsistence hunting and fishing, backcountry recreation, tourism, and climate resilience. These impacts were not adequately addressed in previous planning processes, many of which were based on outdated and/or inadequate science.
Noblin	Rebecca	Native Movement	43	Direct-Indirect Impacts	Native Movement supports the preparation of an EIS to consider the numerous and significant impacts of rescinding the Section 17(d)(1) withdrawals. Section 17(d)(1) withdrawals protect lands, waters, and animals that are vital to sustaining healthy Alaska Native ways of life across the state. As climate change profoundly alters the landscape and industrial development takes its toll on the resources we need to survive and thrive, retaining protections has become essential. As BLM acknowledges in its notice of intent, the public land orders revoking the withdrawals are legally flawed. We are confident that a lawful National Environmental Policy Act (NEPA) analysis of the impacts of revoking the withdrawals will illuminate the deep need for keeping Section 17(d)(1) protections in place.

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Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Direct-Indirect Impacts	EPA recommends the EIS "succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration, including the reasonably foreseeable environmental trends and planned actions in the area(s)." (1) We recommend focusing on resources, ecosystems, and communities that are "at risk" or have the potential to be significantly impacted by the proposed project. Trend data, where available, can be used to establish and project a reasonably foreseeable baseline for the affected resources, and to predict the environmental effects of the project when added to this baseline. (1) 40 C.F.R. § 1502.15.
McQueen	Mike	N/A	28	Cumulative Impacts	My wife and I utilize BLM LANDS for recreational and subsistence purposes. We hike, fish, boat, ski, and supplement our dietary needs with wild food stuff from these federal lands. We also utilize other federal and State lands for these same purposes. Often BLM lands provide public access to all these lands. Potential impacts to these uses should be analyzed on a statewide basis. Since the landscapes we utilize are often a mix of state, federal, tribal, and other private ownership analysis must include impacts due to the reasonable foreseeable future uses of all these lands combined with past and present uses. Potential development of these lands involving extraction of natural resources or disposal of these lands require analysis. If any of these lands have been selected by the State of Alaska or one of the 13 regional tribal corporations that also should be revealed and analyzed.
Hopkins	Paul	TRCP Supporter	69	Agency Consultation	I strongly support maintaining existing conservation safeguards on the 28 million acres of BLM-managed public lands in Alaska that are currently under review. President Carter safeguarded much of this land in Alaska just to prevent development. He is almost 100 now but he should be consulted prior to making any changes to these areas. Thank you for your time, consideration, and attention to this matter.
Moselle	Kyle	State of Alaska	41	Agency Consultation	Consent from the Department of Defense (DOD) with regards to lands under DOD administration is not required BLM lists "failure to secure consent from the Department of Defense (DOD) with regard to lands under DOD administration as required by Section 204(i) of FLPMA (43 U.S.C. 1714(i))" as one of the "legal defects" in the decision-making process for PLOs 7899, 7900, 7901, 7902, and 7903 in their NOI.(11) Although Section 204(i) of FLPMA does require consent for revocations of withdrawals for lands under administration of a department or agency other than the Department of Interior, 43 U.S.C. § 1714(i), that provision is not implicated here, as PLOs 7899, 7900, 7901, 7902, and 7903 each expressly provide that the orders revoke only the d-1 withdrawals and leave unchanged any overlapping withdrawal made pursuant to any other provision of law. Further, the opening orders executed by Secretary Bernhardt provide that the identified lands "will continue to be subject to the terms and conditions of any other withdrawal, application, segregation of record, and other applicable law." [emphasis added].(12) Since BLM is not proposing to modify or revoke any DOD withdrawal, there is no requirement to consult or secure consent from DOD. (11) 87 FR 50875. (12) 86 FR 5245. Moreover, of the nearly 28 million acres of lands described in PLOs 7899, 7900, 7901, 7902, and 7903, there appears to be approximately 1,069 acres covered by a military withdrawal or otherwise subject to DOD administration (less than 0.004% of the total planning areas). No military reservations appear to exist in PLO 7900 (Ring of Fire RMP) or PLO 7901 (Bay RMP), while approximately 795 acres of military reservations appear to exist in PLO 7899 (Kobuk-Seward RMP); approximately 273 acres of military reservations appear to exist in PLO 7902 (Bering Sea-Western Interior RMP); and approximately 0.50 acres of military reservations appear to exist in PLO 7903 (East Alaska RMP).
Quick	Marla	NANA Regional Corporation, Inc.	61	Agency Consultation	BLM published a notice of intent to prepare an EIS on August 18, 2022, and requested comments concerning the scope of the analysis, potential alternatives, and identification of relevant information by October 17, 2022.5 The notice of intent stated that "the successful outcome of this project relies on meaningful input from Alaska Native Tribes and Corporations,"6 and committing to "engage in Tribal and Alaska Native Corporation consultation as part of this process."7 On that same day, BLM transmitted a letter inviting NANA to participate in consultation as a consulting party under Section 106 of the NHPA and to engage in consultation consistent with the Department of the Interior Policy on Consultation with Alaska Native Claims Settlement Act Corporations (August 2012). In addition, BLM stated that the goal of consultation under Section 106 of the NHPA is to identify historic properties potentially affected by the undertaking, assess its effects, and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. 5 See 87 Fed. Reg. 50,875 (Aug. 18, 2022). 6 https://www.blm.gov/press-release/bureau-land-management-begins-analysis-public-land-orders-and-opens-60-day-public . 7 Id. While NANA appreciates BLM inviting NANA to consult early in this process, NANA seeks clarity on the extent of BLM's consultation with NANA - whether the consultation is limited to the potential effects of the undertaking under Section 106 of the NHPA or whether BLM intends consultation with NANA to cover the undertaking more broadly, including consultation pertaining to the substantial direct effects of the undertaking to NANA, the draft EIS, and the NEPA process in general. In other words, NANA expects to consult on any aspect of the EIS that may have substantial direct effects on NANA, including the potential to substantially affect NANA's lands, water areas, and resources.8 By engaging with NANA in a broader consultation, BLM avoids being in contravention of its legal obligations as well as its stated commitment to engage in consultations with ANCs and allows for a more fully informed federal decision-making process. 8 See 87 Fed. Reg. 50,875-76 ("Full or partial revocation of the ANCSA 17(d)(1) withdrawals may result in changes to land use that could affect local residents, wildlife, vegetation, cultural resources, subsistence use, air resources, and water resources...").
Skibinski	Deantha	Alaska Miners Association	32	Agency Consultation	BLM asserts inadequate consultation under Section 106 of the National Historic Preservation Act (NHPA). What specific steps in each of the five RMP areas were omitted in the previous RMP/EIS processes that need to be taken to comply with NHPA?
Skibinski	Deantha	Alaska Miners Association	32	Agency Consultation	BLM asserts possible failure to adequately evaluate impacts under Section 7 of the Endangered Species Act (ESA). Again, BLM must identify and list the specific failures in each of the previous EISs. All BLM discussion of this issue to date refer only to "possible failure". BLM has now had more than a year to identify specific failures, if any indeed exist.
Moselle	Kyle	State of Alaska	41	Agency Consultation	Compliance with Section 106 of the National Historic Preservation Act is consistent with similar actions. The decision to open lands to withdrawal is a planning or administrative action. Following 36 CFR 800.1(c), Section 106 analysis does not need to be completed prior to implementing nondestructive project planning if alternatives to avoid, minimize, or mitigate adverse effects to historic properties are not restricted. The subsequent disposal of land following opening lands to withdrawal is an undertaking with potential to cause effects, which should and will be addressed by BLM on a project-by-project basis as is regularly done for projects or actions evaluated in RMPs and other planning documents. To the extent that BLM is reengaging in Section 106 consultation and analysis, the State Office of History and Archaeology and the State Historic Preservation Officer must be included.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Moselle	Kyle	State of Alaska	41	Agency Consultation	BLM's stated rationale that it must consult with DoD before the revocation of these obsolete d-1 withdrawals is unjustifiable. Publication of PLOs 7900, 7901, 7902, and 7903 is a purely ministerial act that BLM has no discretion to eschew. From the State's perspective, DOT has effectively already definitively acted on these issues. FLPMA provides the Secretary of the Interior with the authority to revoke public land withdrawals and set the time for which the revocation is effective.(13) Once that discretion has been exercised, and in order to give the decision effect, BLM's regulations then provide that the Secretary's order must be published in the Federal Register.(14) BLM possesses no decision-making discretion in this matter. After the Secretary issues a substantive decision, BLM simply serves as the agency submitting the decision for publication. Accordingly, publication is merely a ministerial act that BLM is obligated to perform. Therefore, BLM's NOI to prepare an EIS is not required(15) and can serve no useful purpose.(16) The State urges BLM to forgo this unnecessary analysis, and instead to publish the validly issued PLOs, with their attendant opening orders, without further delay. (13) 43 U.S.C. § 1714(a). (14) 43 C.F.R. § 2091.6. (15) Sierra Club v. Babbitt, 65 F.3d 1502, 1512 (9th Cir. 1995) (NEPA not required for non-discretionary or ministerial acts). (16) C.f. Dep't of Transp. v. Public Citizen, 541 U.S. 752, 767 (2004) (environmental analyses must be "useful" and comply with a "rule of reason").
Skibinski	Deantha	Alaska Miners Association	32	Agency Consultation	BLM asserts failure to secure consent from the Department of Defense (DoD) with regard to lands under DoD administration as required by Section 204(i) of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1714(i)). This "lack" can be remedied by simple coordination with DoD and in no way requires new or supplemental EISs. If such coordination is required prior to lifting any withdrawals under DoD administration, would such coordination not already have occurred in order to address similar revocation of ANCSA 17(d)(1) withdrawals to accommodate Alaska Native Vietnam Era Veteran Allotments?
Newman	Matt	United Tribes of Bristol Bay	37	Agency Consultation	The Bureau must carry out its responsibilities under Section 106 in consultation with Tribes.(31) When initiating the Section 106 process, the Bureau must "make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties."(32) To provide an opportunity for Tribes to meaningfully participate in the Section 106 process, the Bureau should send consultation and consulting party invitations as early in the process as possible and follow up on any invitations the Bureau has previously sent. (31) 54 U.S.C. § 302706(b). (32) 36 C.F.R. § 800.3(f)(2).
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Agency Consultation	The Bureau must carry out its responsibilities under Section 106 in consultation with Tribes.(28) When initiating the Section 106 process, the Bureau must "make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties."(29) To provide an opportunity for Tribes to meaningfully participate in the Section 106 process, the Bureau should send consultation and consulting party invitations as early in the process as possible and follow up on any invitations the Bureau has previously sent. (28) 54 U.S.C. § 302706(b). (29) 36 C.F.R. § 800.3(f)(2). The Advisory Council on Historic Preservation's regulations implementing the Section 106 process require agency officials to "ensure that the section 106 process is initiated early in the undertaking's planning, so that a broad range of alternatives may be considered during the planning process for the undertaking."(30) The Tribal Commission strongly encourages the Bureau to initiate the Section 106 process early so that it can inform the development of alternatives considered in the draft environmental impact statement.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Government-to-Government Consultation	Lands subject to d-1 withdrawals and the resources within those lands are vital to the health and well-being of the Tribal Commission's member Tribes and their Tribal citizens. Like all federal agencies, the Bureau has a trust responsibility to Tribes and must engage in government-to-government consultation with Tribal governments when making decisions that may impact Tribes.(14) The Bureau must provide opportunities for regular and meaningful consultation starting early and continuing throughout this process. As part of meaningful consultation, the Bureau must incorporate or respond to Tribes' comments and concerns. (14) Exec. Order No. 13175, 65 Fed. Reg. 67,249, 67,249-50 (Nov. 6, 2000); Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, 86 Fed. Reg. 7,491 (Jan. 29, 2021).
Hotch	Jones	Chilkat Indian Village	30	Government-to-Government Consultation	Below is a map of BLM lands within our traditional territory. The black dot on the map indicates our village location. As you can see, BLM D1 lands are directly adjacent to our village site and encompass important lands and waters for our Tribal members. (Map) First, we appreciate the agency's deferral of these opening orders under agency review until proper analyses and consultations can be completed. The previous administration finalized these orders without any consultation with our Tribal government and with no additional updates on the proposed actions' impacts on climate change and our subsistence and traditional ways of life. The lands comprising our traditional territory are contained within the Ring of Fire Management Plan (RMP) which is one of the RMP's under review as part of this scoping process. The D1 withdrawals within our traditional territories are a complex layer of administrative challenges that we are pursuing in direct communication with the Alaska state BLM office, the Glennallen Field Office, and the US DOI and BLM staff in Washington, DC. We would like to request that no decision to lift D1 withdrawals is made without first discussing opportunities for co-management and co-stewardship of these lands with Chilkat Indian Village (Klukwan).
Hotch	Jones	Chilkat Indian Village	30	Government-to-Government Consultation	All of the BLM lands within the Haines Amendment Ring of Fire RMP, and also within our traditional territory, are D1 withdrawals. These lands are also selected for conveyance by the state of Alaska as "top filed" priority selections. If D1 withdrawals are removed, and existing federal mining claims are transferred to the state of Alaska or closed, then these lands would potentially be conveyed to the state of Alaska, preventing further opportunities for Nation-to-Nation discussions about co-management and co-stewardship of these lands. We also recognize that the state of Alaska has over-selected lands for conveyance across Alaska, and we do not believe that D1 withdrawals should be lifted until the state of Alaska is forced to complete selection of lands across the entire state, in conference with each individual, sovereign Indigenous Nation that would be impacted by this conveyance. We have been in communication with BLM on our issues with the ROF RMP and the Haines Amendment for many years. We have tried to work with BLM to establish a meaningful relationship and pursue opportunities for co-management and co-stewardship of our traditional lands and waters. We are still moving forward with these requests. If BLM decides to lift D1 withdrawals from the lands in the region, years of government-to-government negotiations and relationship-building will be lost.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Karns	Olivia	Tanana Chiefs Conference	35	Government-to-Government Consultation	Participation in previous BLM environmental planning procedures has developed tribal agency expertise at TCC and among member tribal governments. As a regional service provider, TCC advocates on behalf of member Tribes through internally generated resolutions at its annual region-wide convention. Specific to BLM, resolutions in recent years include directives to engage in the RMP process and co-stewardship opportunities with federal land managing agencies, among other resolutions related to wild food economies and climate change threats. Through those resolutions, along with supplemental directives from member Tribes, TCC has issued thematic comments in the administrative records for RMPs and other related federal actions. Components of NEPA comments included advocacy for integration of traditional knowledge and traditional uses appropriate for documenting the affected environment, conducting interdisciplinary analysis and rendering mitigation measures. Though TCC has submitted scoping and review comments on behalf of tribes, the intrinsic demographic and traditional knowledge rests with individual Tribes. Therefore, BLM needs to conduct robust outreach with Tribes through close government-to-government consultations. Only through meaningful consultation with potentially affected federally-recognized tribes may the (d)(1) lands environmental review capture the swathe of direct, indirect and cumulative impacts posed to affected rural communities by re-appropriating those lands for mineral development.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Government-to-Government Consultation	The PLOs violate Government-to-Government Consultation Standards Government-to-Government Consultation is one of the primary tools Federally recognized tribal entities nations can use to prevent the federal government from negatively impacting their interests, especially in the area of environmental protection. Because of the tribe's status as a government entity rather than a member of the public, the G2G process gives them certain rights over that of the average member of the public regarding input on federally sponsored projects. The relevant federal laws and policies regarding Government-to-Government consultation in Alaska include Clinton Executive Order 13175 which directs such agencies to "establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications" and to "respect Indian tribal self-government and sovereignty, honor tribal...rights, and strive to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments."(36) Additionally, President Obama issued a November 9, 2009, Memorandum to Department Heads as an agency directive to implement EO 13175.(37) As a result of the Obama directive, each federal agency has G2G guidelines that are developed by the agency itself. Finally, in January 2021, President Biden directed all executive departments and agencies to prepare and update detailed plans of actions to implement in an effort to implement Executive Order 13175.(38) (36) Exec. Order No. 13,175, 65 Fed. Reg. 67,249 (Nov. 6, 2000). (37) Presidential Memorandum on Tribal Consultation. (38) Nada Culver, ak-blm e-mail (January 27, 2021) referencing: https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/ Although the federal trust duty, for example, contemplates that federal agencies explain the consultation process in detail when reaching out to tribal governments to engage in formal government-to-government consultation, this did not occur regarding the draft BSWI RMP, in which most Alaska tribes received an email with no explanation that the plan would lead the way for one of the largest public land liquidations in US history, nor was there an explanation of the impact this would have on critical subsistence resources. Instead, in most cases, the BLM sent an email to tribes stated "Bering Sea Western Interior Draft Resource Management Plan" in the subject line and offering to engage in government-to-government consultation with the tribe in the text without providing any explanation that protected status for watersheds would be lifting over 13.5 million acres of lands throughout the region, including land designated as critical to salmon habitat. This clearly is not in accordance with BLM's requirement that it engage in "meaningful consultation" with Alaskan Native and it's trust obligations related to the revocation of D-1 land withdrawals. There were multiple requests to extend the comment period on the draft of the RMPs including six Lower Kuskokwim tribes who sent a letter to the agency requesting government-to-government consultation and expressing concern about impacts on fishery resources resulting from mining activity and the removal of protections for the D1 Lands. In the letter, the tribes noted that their communities depend on the Kuskokwim River, which produces the largest subsistence harvest of Chinook salmon in Alaska, and other rivers and streams within the planning area for subsistence uses. The letter noted that the public comment process and the BLM's consultation with tribes was "woefully inadequate."(39) (39) Trump Administration Shuts Down Kuskokwim Tribes in Mineral Entry Plan," Alaska Native News, September 6, 2019. Regardless of these requests, and despite the Department of Interior's promise made to Alaska Natives in March of 2019 to modify the timeline, allowing for Cooperating Agency meetings with Alaska tribes to consider edits to the draft plan, the BLM stuck to a brief sixty-day comment period on the draft BSWI RMP and the rushed through a Record of Decision which was completed by November of 2019. Regardless, therefore, of the fact that the subsistence priority is guaranteed to Alaska Native residents under the Alaska National Interest Lands Conservation Act, in it's hast to open the withdrawn lands to mining development, the BLM failed to adequately consult with Tribes whose subsistence practices would be affected by the lifting. Although the federal trust duty typically contemplates that federal agencies explain the consultation process in detail when reaching out to tribal governments to engage in formal government-to-government consultation, this did not generally occur in relation to the PLOs. Regarding the BSWI RMP, for example, most Alaska tribes received an email with no explanation that the plan would lead the way for one of the largest public land liquidations in US history, nor was there an explanation of the impact this would have on critical subsistence resources. In most cases, For example, the BLM sent an email to tribes stated "Bering Sea Western Interior Draft Resource Management Plan" in the subject line and offering to engage in government-to-government consultation with the tribe in the text without; however, it providing any explanation that protected status for watersheds would be lifted over millions of acres of lands throughout the region, including land designated as critical to salmon habitat.
Slats	R.B.	Tribes and Tribal organizations of the Yukon-Kuskokwim Delta	59	Government-to-Government Consultation	We are encouraged that the Bureau of Land Management ("BLM") is developing an Environmental Impact Statement ("EIS") under the National Environmental Policy Act to examine the impacts of lifting the ANCSA 17(d)(1) protections. ("D-1 protections"). We also look forward to and respectfully request that you engage our Tribes in formal tribal consultation throughout the EIS process and for all land use decisions within the Yukon-Kuskokwim Delta region.
Swope	Sophie	Mother Kuskokwim Tribal Coalition	40	Government-to-Government Consultation	We also look forward to and respectfully request that you engage with Tribes in the Yukon-Kuskokwim Delta in formal Tribal consultation throughout the EIS process and for all land use decisions within the Yukon-Kuskokwim Delta region.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Chapa	Gisela	Orutsarmiut Native Council	51	Government-to-Government Consultation	We are encouraged that the Bureau of Land Management ("BLM") is developing an Environmental Impact Statement ("EIS") under the National Environmental Policy Act to examine the impacts of lifting the ANCSA 17(d)(1) protections. ("D-1 protections"). We also look forward to and respectfully request that you engage our Tribe in formal tribal consultation throughout the EIS process and for all land use decisions within the Yukon-Kuskokwim Delta region.
Chapa	Gisela	Orutsarmiut Native Council	51	Government-to-Government Consultation	We respectfully request BLM consider the real and likely impacts that lifting D-1 protections will have on permanent residents, cultural practices, and our communities. Additionally, we request BLM engage our Tribes and ANCSA corporation shareholders in formal consultations through this EIS process and in any land use decisions within the Yukon-Kuskokwim Delta region.
Degnam	Frances Ann	Enrolled tribal member of Native Village of Unalakleet	58	Government-to-Government Consultation	We, as current occupants and subsistence users of this Norton Sound territory, continue to practice and uphold our ancient cultural values because this is what we know. We understand ongoing and emerging changes in physical climatic global stability and how we are to survive in our place on earth. Our lifeways are very important to us. We need to be involved meaningfully as partners in the continuing stewardship of these D1 protected lands in our region of Alaska/USA.
Finnesand	Tana	Ahtna Incorporated	21	Government-to-Government Consultation	This comprehensive review needs to include consultation with the Tribes. Not just a search of the AHRs cultural resources database with the State, but it should include archaeological surveys and person-to-person consultation with the Tribes.
Hotch	Jones	Chilkat Indian Village	30	Government-to-Government Consultation	We have been in discussions with BLM and DOI leadership in Washington DC about creating a co-management or co-stewardship agreement for all lands and waters within our traditional territories. This agreement can focus on 1) watershed monitoring, and 2) protection of sacred sites. We would like to see an effort by BLM leadership to help us outline the specific guidelines of such an agreement. We also understand that other sovereign Tribal governments across Alaska are asking for similar actions to be taken by BLM within their traditional territories. We request BLM use this EIS process for D1 withdrawals to complete consultations with tribal governments and co-create these co-management agreements.
Little	Suzanne	The Pew Charitable Trusts	48	Government-to-Government Consultation	Pew looks forward to continued engagement in this Programmatic EIS and we urge substantially improved communication by the BLM and Tribes living close to BLM lands that will be addressed through this process.
Newman	Matt	United Tribes of Bristol Bay	37	Government-to-Government Consultation	Lands subject to d-1 withdrawals and the resources within those lands are vital to the health and well-being of the UTBB's member Tribes and their Tribal citizens. Like all federal agencies, the Bureau has a trust responsibility to Tribes and must engage in government-to-government consultation with Tribal governments when making decisions that may impact Tribes.(17) The Bureau must provide opportunities for regular and meaningful consultation starting early and continuing throughout this process. As part of meaningful consultation, the Bureau must incorporate Tribes' knowledge and expertise in the agency's analysis and respond to Tribes' comments and concerns. (17) Exec. Order No. 13175, 65 Fed. Reg. 67,249, 67,249-50 (Nov. 6, 2000); Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, 86 Fed. Reg. 7,491 (Jan. 29, 2021).
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Government-to-Government Consultation	EPA encourages BLM to consult with the Tribes and incorporate feedback from the Tribes when making decisions regarding the project. EPA recommends the EIS describe the issues raised during the consultations and how those issues were addressed.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Government-to-Government Consultation	The withdrawal revocations were incorporated into existing resource management plans covering public lands throughout Alaska along with others that were still in the preparation period beginning in the fall of 2019. Regardless, of the fact that the subsistence priority is guaranteed to Alaska Native residents under the Alaska Native Interest Lands Conservation Act, in it's hast to open up the withdrawn lands, the BLM failed to consult with such Tribes. This clearly is not in accordance with the agency's 's requirement that it engage in "meaningful consultation" with Alaskan Native and it's trust obligations related to the revocation of any D-1 land withdrawals.
Hooper	Krystal	Native Village of Tununak	80	Government-to-Government Consultation	We are encouraged that the Bureau of Land Management ("BLM") is developing an Environmental Impact Statement ("EIS") under the National Environmental Policy Act to examine the impacts of lifting the ANCSA 17(d)(1) protections. ("D-1 protections"). We also look forward to and respectfully request that you engage our Tribes in formal tribal consultation throughout the EIS process and for all land use decisions within the Yukon-Kuskokwim Delta region.
Demoski	Ernest	Deloy Ges, Inc.	56	ANCSA Consultation	Deloy Ges, Inc., supports the need for BLM to immediately conduct an EIS analysis on the five Resource Management Plans that cover the Bering Sea Western Interior, Bristol Bay, East Alaska, Kobuk Seward Peninsula, and the Ring of Fire Planning Areas. We support applying Section 106 of the National Historic Preservation Act and the ANLCA Section 108 analysis of the ANCSA (d)(1) withdrawals on subsistence uses, harvests and lifeways. Anvik had a poor experience with one of the BLM meetings on the BSWI RMP in our community. BLM told the Anvik Tribe that the meeting was a consultation when they arrived. However, it wasn't until the last 20 minutes of that meeting, in which BLM presented the Section 108 subsistence information that agency officials asked for any comments from the Anvik Tribe and members present. It was NOT a meaningful, informed, or equitable consultation, presentation of ANILCA Section 108, or an adequate process of engagement.
Marunde	Jamie	Doyon Limited	19	ANCSA Consultation	I am the Vice President of Lands and Natural Resources for Doyon, Limited, and what I would like to share with you all today for our comment is that we commented and consulted on these Resource Management Plans in part to facilitate the conveyance of our lands, and that we are frustrated that those consultations were inadequate because they resulted in this delay, which has now caused further delay in us getting our conveyances. We don't know how much longer we have to consult our way into the implementation of Federal law and the transfer of those lands to us as negotiated under ANCSA.
Obed	Sarah	Doyon, Limited	46	ANCSA Consultation	"failure to adequately analyze potential impacts on subsistence hunting and fishing," despite BLM's significant and documented consultation efforts during the planning processes and extensive analyses under section 810 of the Alaska National Interest Lands Conservation Act ("ANILCA")

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	ANCSA Consultation	The PLOs Violate the Trust Responsibility Federally recognized tribes have a unique relationship with the United States government stemming from provisions of the US Constitution, treaties, statutes, court decisions, and executive orders usually referred to as the federal trust duty.(17) This duty requires the government to protect the tribes' interests in a manner that is above and beyond its duty to protect the general public's interests.(18) Unlike laws that are established by the legislature, the trust obligation was established by federal courts beginning with Cherokee Nations v. Georgia when Chief Justice Marshall characterized tribes as "domestic dependent nations" with a right of occupancy to the land they live on unless congress has extinguished their title.(19) Specific violations of the trust duty, however, are typically defined by statutes such as the Endangered Species Act (ESA)(20) and the National Environmental Policy Act (NEPA),(21) which contain specific regulatory provisions. (17) Harold Shepherd, "Conflict Comes to Roost! The Bureau of Reclamation and the Federal Trust Responsibility," Environmental Law 31, no. 4 (2001). (18) Ibid., 906-926. (19) 30 U.S. 1 (1831). (20) 16 U.S.C. § 1531 et seq. (21) 42 U.S.C. § 4321 et seq. In Alaska, there is a federal trust duty to preserve Native aboriginal lands and protect them from third-party intrusions as outlined in a statutory scheme created by the Alaska Native Claims Settlement Act (ANSCA)(22) followed by the Alaska National Interest Lands Conservation Act (ANILCA).(23) ANILCA was drafted, in part, to fulfill the subsistence-related provisions of the ANSCA and to settle the Alaska Native aboriginal land, water, hunting, and fishing rights that were, apparently, extinguished by ANSCA. (22) Pub. L. No. 92-203, 85 Stat. 688 (1971). (23) Pub. L. No. 96-487, Title VIII, 94 Stat. 2371 (1980). ANILCA, therefore, retains substantial potential for protecting the water interests of Alaska Native communities by setting up a process to withdraw lands and critical fish habitat that such communities have traditionally relied upon for subsistence fishing, hunting, and gathering purposes. The Section 17(d)(1) of the Act, for example, automatically withdrew all currently unreserved public lands and gave the Secretary of Interior the authority to make classifications of such lands in the public interest. The Secretary ultimately, set aside 60 millions acres for this purpose.(24) The Trump administration, therefore violated the Trust Responsibility as expressed through ANSCA and ANILCA by lifting all of the D1 withdrawals on those lands that had not been selected by the state or Native Corporations under ANSCA. (24) Case and Voluck, Alaska Natives and American Laws, 289.
Obed	Sarah	Doyon, Limited	46	ANCSA Consultation	DOI's and BLM's actions pursuant to which this EIS is being prepared effectively postpone the subject PLO orders from April 2021 until April 2023, if the Department allows them to proceed at all. The openings under these orders were poised to go into place, and to open and make available more federal lands for selection. Despite the Department's obligations under federal law and policy, with some degree of irony, the Department took this action without first consulting with Alaska Native Tribes and ANCs. This action has an impact on over 28 million acres of land in Alaska, and affects the interests of Alaska Natives and Alaska Native groups across a large area of the State.
Quick	Marla	NANA Regional Corporation, Inc.	61	ANCSA Consultation	Department of the Interior (DOI) Bureaus and Offices have a legal obligation to consult with Alaska Native Corporations (ANCs or ANCSA Corporations) "when taking Departmental Action that has a substantial direct effect on ANCSA Corporations."2 This includes "any activity that may substantially affect ANCSA Corporation land, water areas, or resources."3 Consultation with ANCs is not just a legal obligation; it is critically important to achieve transparent and effective federal action that incorporates indigenous knowledge and integrates Alaska Natives more fully into the federal decision-making process. Both the DOI's 2012 Policy on Consultation with ANCs and the E.O. 13175 place emphasis on engaging in consultation when actions may have substantial direct effects and implications for ANCs and Tribes, respectively.4 Therefore, BLM's consultation with ANCs should address broadly the Departmental Action as a whole (i.e., the EIS and NEPA process) and not be limited to consultation requirements under specific federal statutes (i.e., Section 106 of the NHPA). 2 Dep't of the Interior Policy on Consultation with Alaska Native Claims Settlement Act Corps., (Aug. 10, 2012), https://www.fws.gov/r7/external/native_american/doi_ancsa_policy.pdf ; see also Pub. L. 108-199, 118 Stat. 452, as amended by Pub. L. 108-447, 118 Stat. 3267 (emphasis added) (requiring federal agencies to consult with ANCs "on the same basis as Indian tribes under Executive Order No. 13175."). 3 Id. 4 See DOI Policy on Consultation with ANCSA Corporations (2012) at 1-2 ("When taking Department Action that has a substantial direct effect on ANCSA Corporations, the Department will initiate consultation with ANCSA Corporations."); see also E.O. 13175 ("Each agency shall have an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.").
Schuerch	Tim	Calista Corporation	18	ANCSA Consultation	We also share with Doyon the concern that we need to be adequately consulted with, both us as a Native corporation under ANCSA, and also our tribes do need to be consulted with.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	ANILCA	If the Bureau determines that lifting d-1 withdrawals may significantly restrict subsistence uses, the agency must give notice, hold hearings, and make specified findings that substantively limit the agency's decision making. The Bureau must make detailed and specific findings demonstrating that any decisions on d-1 withdrawals adequately protect subsistence uses and minimize adverse impacts on subsistence users and resources. It is critical that the Bureau provide a meaningful opportunity for subsistence users to participate in the decision-making process. Any ANILCA Section 810 hearings must be accessible to subsistence users and should be coordinated in collaboration with Tribes and communities.

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Moselle	Kyle	State of Alaska	41	ANILCA	Requirements of ANILCA Section 810 have been met by the BLM through previous planning processes Like PLO 7874, all the public land orders referenced in the NOI have been recommended for revocation in previous EISs and RODs. Both the Bay RMP and Kobuk Seward RMPs included Section 810 analyses and gave notice of and held subsistence hearings as required by ANILCA Section 810, after a determination was made that subsistence uses may be significantly restricted. For the Kobuk-Seward RMP, community meetings and ANILCA Section 810 hearings were held in Shaktoolik, Koyuk, Nome, Buckland, Noorvik, Kiana, Ambler, Point Hope, Kivalina, and Kotzebue. Public meetings on the draft Kobuk-Seward RMP were also held in Anchorage and Fairbanks. The requirements in Section 810(a)(b) and (c) of ANILCA were met by this process, so no further Section 810 analysis is required. In the Kobuk-Seward RMP, the State found the Section 810 analysis "well written and informative" (see enclosed State of Alaska comment letter dated September 15, 2006). The Subsistence Use Maps included as an appendix were very informative and enabled readers to fully appreciate use of lands and waters in the planning area by local communities. The State agreed BLM had appropriately scheduled public hearings in the potentially affected communities and BLM extended the original 90-day comment period from an August 4, 2006, deadline to a September 15, 2006, deadline at the request of the Northwest Arctic Borough, the Maniilaq Association and several other individuals; providing an additional 42 days to ensure rural residents directly affected by the plan had additional time to review and understand the alternatives.
Moselle	Kyle	State of Alaska	41	ANILCA	In the Section 810 analyses associated with each of the previous RMPs, the BLM determined that either the selected alternative, and sometimes all alternatives, would not significantly restrict subsistence uses or that all reasonable steps had been taken to minimize adverse impacts on subsistence uses and resources that may result from the proposed action: -The evaluation of potential impacts to subsistence uses concluded that for all four alternatives and the cumulative case, the Ring of Fire PRMP/FEIS will not significantly restrict subsistence uses of the unencumbered BLM-managed lands on which the federal subsistence priority applies. This concludes the requirements for compliance with Section 810. No further determinations are required considering this finding (p. I-16, 2008 BLM Ring of Fire RMP/Final EIS). -The BLM has determined that, after consideration of all alternatives, subsistence evaluations, and public hearings, such a significant restriction of subsistence uses is necessary and consistent with sound management principles for the utilization of this land, and that Alternative E (the Proposed RMP) will involve the minimal area of public lands necessary to accomplish the approved RMP. Finally, reasonable steps have and will be taken to minimize the adverse impacts upon subsistence uses and resources arising from this action (p. R-68, 2020 BLM Bering Sea Western Interior RMP/Final EIS). -The BLM has determined that the Proposed RMP includes all reasonable steps to minimize adverse impacts on subsistence uses and resources that may result from the proposed action (p. D-21, 2007, Kobuk Seward RMP/Final EIS). -Because the Proposed RMP (Alternative D) would not significantly restrict subsistence uses, no determination under ANILCA 810(a)(3)(A), (B), or (C) is necessary (p. E-21, 2006 East Alaska RMP/Final EIS). -The BLM has determined that the final RMP includes all reasonable steps to minimize adverse impacts on subsistence uses and resources that may result from the proposed action (p. D-19, 2007 BLM Bay Area RMP/Final EIS).
Newman	Matt	United Tribes of Bristol Bay	37	ANILCA	If the Bureau determines that lifting d-1 withdrawals may significantly restrict subsistence uses, the agency must give notice, hold hearings, and make specified findings that substantively limit the agency's decision making. The Bureau must make detailed and specific findings demonstrating that any decisions on d-1 withdrawals adequately protect subsistence uses and minimize adverse impacts on subsistence users and resources. It is critical that the Bureau provide a meaningful opportunity for subsistence users to participate in the decision-making process. Any ANILCA Section 810 hearings must be accessible to subsistence users and should be coordinated in collaboration with Tribes and communities.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Condon	Megan	Bering Sea-Interior Tribal Commission	34	ANILCA	In addition to addressing the legal defects identified in the decision-making process to lift d-1 withdrawals, the Bureau has also identified compliance with Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) as one of the reasons for undertaking this environmental impact statement process.(34) ANILCA Section 810 requires agencies to consider the effects of federal land use decisions on subsistence uses and take steps to minimize adverse impacts.(35) In enacting ANILCA, Congress found that "the continuation of the opportunity for subsistence uses . . . is essential to Native physical, economic, traditional, and cultural existence."(36) To ensure the continuation of those subsistence uses and a subsistence way of life, ANILCA mandates that federal actions "which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized."(37) ANILCA Section 810 creates a process to "enable[e] rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses" on public lands.(38) (34) 87 Fed. Reg. at 50,875. (35) 16 U.S.C. § 3120(a). (36) Id. § 3111(1). (37) Amoco Prod. Co. v. Vill. of Gambell, 480 U.S. 531, 544 (1987). (38) 16 U.S.C. § 3111(5). Section 810 imposes a bifurcated process. Under the first step, commonly referred to as a tier-I evaluation, the agency must consider: 1) the effect of the proposed activity "on subsistence uses and needs," 2) "the availability of other lands for the purposes sought to be achieved," and 3) "other alternatives which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes."(39) Tier-II obligations apply if, after completing the tier-I evaluation, the agency determines that the proposed activity "would significantly restrict subsistence uses."(40) Under tier-II, the agency is prohibited from proceeding with the proposed activity until it gives notice to the appropriate communities, holds hearings in those communities, and makes determinations that 1) "such a significant restriction of subsistence uses is necessary, consistent with sound management principles for the utilization of the public lands," 2) "the proposed activity will involve the minimal amount of public lands necessary to accomplish the purposes" of the activity, and 3) "reasonable steps will be taken to minimize adverse impacts upon subsistence uses and resources."(41) (39) Id. § 3120(a). (40) Id. (41) Id. To satisfy its obligations under ANILCA Section 810, the Bureau must undertake a comprehensive evaluation of potential impacts to subsistence uses and provide subsistence users with an opportunity for meaningful participation in the agency's evaluation. Insufficient data precluded the Bureau from conducting an adequate tier-I evaluation during the Bering Sea-Western Interior land use planning process. For some communities, the data that the Bureau relied on was twenty-five to thirty-five years old.(42) The Bureau also relied heavily on Alaska Department of Fish and Game (ADF&G) harvest surveys. During this process, the Bureau should not exclusively rely on ADF&G data. Harvest surveys are unable to account for the inherent variability in subsistence systems and many rural residents do not participate in ADF&G surveys, so the data collected may not accurately reflect actual harvests.(43) (42) Bering Sea-Western Interior Proposed Plan app. 5 at 9-17. (43) See Bureau of Land Management, Instructions and Policy for Compliance with Section 810 the Alaska National Interest Lands Conservation Act, IM-AK-2011-008 App. 5 at 5-2 (2011), https://www.blm.gov/sites/default/files/policies/im_ak_2011_008_Appendix5.pdf .
Newman	Matt	United Tribes of Bristol Bay	37	ANILCA	In addition to addressing the legal defects identified in the decision-making process to lift d-1 withdrawals, the Bureau has also identified compliance with Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA) as one of the reasons for undertaking this environmental impact statement process.(37) ANILCA Section 810 requires agencies to consider the effects of federal land use decisions on subsistence uses and take steps to minimize adverse impacts.(38) In enacting ANILCA, Congress found that "the continuation of the opportunity for subsistence uses . . . is essential to Native physical, economic, traditional, and cultural existence."(39) To ensure the continuation of those subsistence uses and a subsistence way of life, ANILCA mandates that federal actions "which would significantly restrict subsistence uses can only be undertaken if they are necessary and if the adverse effects are minimized."(40) ANILCA Section 810 creates a process to "enable[e] rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses" on public lands.(41) (37) 87 Fed. Reg. at 50,875. (38) 16 U.S.C. § 3120(a). (39) Id. § 3111(1). (40) Amoco Prod. Co. v. Vill. of Gambell, 480 U.S. 531, 544 (1987). (41) 16 U.S.C. § 3111(5). To satisfy its obligations under ANILCA Section 810, the Bureau must undertake a comprehensive evaluation of potential impacts to subsistence uses and provide subsistence users with an opportunity for meaningful participation in the agency's evaluation. During this process, the Bureau should not exclusively rely on harvest surveys from the Alaska Department of Fish and Game (ADF&G). Harvest surveys are unable to account for the inherent variability in subsistence systems and many rural residents do not participate in ADF&G surveys, so the data collected may not accurately reflect actual harvests.(42) (42) See Bureau of Land Management, Instructions and Policy for Compliance with Section 810 the Alaska National Interest Lands Conservation Act, IM-AK-2011-008 App. 5 at 5-2 (2011), https://www.blm.gov/sites/default/files/policies/im_ak_2011_008_Appendix5.pdf .
Finnesand	Tana	Ahtna Incorporated	21	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	These PLOs conflict with other programs that the BLM is doing, specifically, the Alaska Native Veterans Land Allotment Program. Currently the vets are making selections from these lands, the withdrawn lands, and there's been no cultural resources clearance on them. The deadlines for that program and this EIS are going to be pretty close it looks like, and that's a bad deal for the vets because if they don't get their land then they have to try and pick from other ones, and they might not have sufficient time to do it.
Moselle	Kyle	State of Alaska	41	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	These PLOs revoke outdated withdrawals that were put in place pursuant to Section 17(d)(1) of the ANCSA. The decision to revoke these withdrawals was previously analyzed in RMPs and recognized as appropriate in the associated RODs. The final RMPs included completed NEPA and ANILCA Section 810 analyses and consultations, when appropriate, under Section 7 of the ESA and Section 106 of the NHPA, and the subsequently issued supporting DNAs agreed. Moreover, the extremely limited area of land within the planning areas associated with the DOD would not be affected by these PLOs, as each expressly revoke only the d-1 withdrawals and leave unchanged any overlapping withdrawals made pursuant to any other provision of law.
Moselle	Kyle	State of Alaska	41	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	BLM has no authority to reduce or eliminate any area identified in PLOs 7899, 7900, 7901, 7902, or 7903. Secretary Bernhardt has already made the decision, and any change would require BLM to go through the process to create a new withdrawal.

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Moselle	Kyle	State of Alaska Office of Project Management and Permitting	20	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	In enacting the 2004 Alaska Land Transfer Acceleration Act, Congress prescribed a process to expedite settling the complex process by which the State and ANCSA corporations fulfilled their land entitlements. Section 207 of the Act directed BLM to review the D-1 withdrawals and report to Congress on whether any of them could be opened to entry. BLM concluded that the vast majority had fulfilled their purpose and recommended lifting them through BLM's land use planning process. This, and the more stringent requirements for managing development, means that the original protections from the D-1 withdrawals are no longer critical for the protection of the public's interest. The D-1 withdrawals are an unnecessary encumbrance on the public land records, complicating interpretation of the title record by the public. As described above, many of the withdrawals on BLM lands in Alaska have outlived their purpose, and are an unnecessary encumbrance on the public land record, complicating interpretation of the title record by the public, and are no longer critical for the protection of the public interest. Moreover, since issuing their report to Congress, BLM valued lifting these D-1 withdrawals in five Resource Management Plans in Alaska. These plans followed the recommendations of the report, and recommended lifting the vast majority of ANCSA D-1 withdrawals allowing the public use in accordance with existing land use plans, better regulations, operating procedures, and multiple-use laws. In determining whether the D-1 withdrawals are needed to protect the public interest on the lands, BLM gave full consideration to the opportunity to achieve better management of Federal lands and to meet the needs of State, local, and ANCSA corporations and the residents and their economies through a public involvement process and resource analysis.
Not Provided	Not Provided	N/A	44	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	The DOI's attempted revocation, through Public Land Orders ("PLO") 7901 and 7902, of ANCSA's Section 17(d)(1) withdrawal protections of federal lands was unlawful for several reasons.
Not Provided	Not Provided	N/A	44	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	First, it was unlawful because the Department of the Interior ("DOI") did not engage in prior consultations with ANCs and Tribes, as required by DOI Policy, Executive Order 13175 and Statute. As DOI recently stated in a filing in Alaska v. Haaland, the decision to revoke an ANCSA Section 17(d)(1) withdrawal is separate from the decision to adopt a Resource Management Plan ("RMP") authorizing such an action. ANCs and Tribes may have been consulted on the proposed RMPs authorizing the eventual revocation of ANCSA 17(d)(1) withdrawals in the BSWI and Bay RMPs in the Y-K Region, but we were certainly not consulted on the sudden, immediate revocation of these ANCSA 17(d)(1) withdrawals. Frankly, we were all surprised and shocked when these PLOs were signed and released.
Not Provided	Not Provided	N/A	44	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	Second, it was unlawful because PLOs 7901 and 7902 were issued under circumstances where DOI had still not conveyed over 330 square miles of land that Calista was statutorily promised in ANCSA. In fact, much of this acreage had not even been selected yet. Additionally, many of the Y-K Region Village Corporations had also not received the entirety of the land that they were promised in ANCSA.
Not Provided	Not Provided	N/A	44	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	Until the federal government fulfills the sacred promises that it made in ANCSA to all of the Y-K Region's Alaska Natives, to our 56 Tribes, to Calista, and to our 45 Villages Corporations, it would be wrong, a breach of trust, and detrimental for DOI to revoke the ANCSA Section 17(d)(1) withdrawal protections in the Y-K Region - including those in the BSWI and Bay RMP areas. DOI has a sacred duty to keep those lands withdrawn in order to have sufficient acreage to fulfill all statutory ANCSA entitlements of Calista and all of the Village Corporations in the Y-K Region.
O'Reilly-Doyle	Kathleen	N/A	50	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	My understanding of the purposes of the 17 (d)(1) Withdrawals were to set aside lands until all the ANCSA claims were made and the conveyances were completed. Please clarify this in the EIS and note whether there are any outstanding claims where the conveyances have not been completed.
Skibinski	Deantha	Alaska Miners Association	32	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	Now that over 50 years have passed since their establishment, and more than 95% of State and Native land selections have been adjudicated, it is long past time for the temporary (d)(1) withdrawals to be lifted. Therefore, the Alaska Miners Association again recommends that most ANCSA 17(d)(1) withdrawals in BLM's Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward Peninsula, and Ring of Fire Resource Management Plans (RMP) be revoked. Considering that BLM has already evaluated the impacts of the revocation of the (d)(1) withdrawals through these five RMPs and their associated EISs, it is neither necessary or appropriate to further study this issue. Rather, we recommend BLM implement the following decisions regarding (d)(1) withdrawals made in the associated Records of Decisions (RODs): - BLM Bay RMP (Bristol Bay). Record of Decision Issued: 11/14/2008, signed by BLM State Director Tom Lonnie. From page 4 of the ROD: "The RMP recommends the Secretary of Interior revoke of all ANCSA 17(d)(1) withdrawals as described in Public Land Orders 5174, 5179, 5180, 5181, 5184, and 5186." -BLM Bering Sea - Western Interior RMP. Record of Decision Issued January 20, 2021, signed by BLM Director David Bernhardt. "Additionally, all four of the action alternatives (Alternatives B-E) consider the revocation of existing ANCSA 17(d)(1) withdrawals." -BLM East Alaska RMP. Record of Decision Issued: 09/07/2007, signed by BLM State Director Tom Lonnie. From page 6 of the ROD: "The primary management decisions in the Approved Plan are to:...Recommend revocation of 84% of the existing ANCSA 17(d)(1) withdrawals (Note - on page 7 it says 80%), 6.0 million acres available to locatable mineral entry -BLM Kobuk - Seward Peninsula RMP (NW Alaska). Record of Decision Issued: 09/04/2008 signed by BLM State Director Tom Lonnie. From page 15 of the ROD: "The Approved RMP recommends revocation of all ANCSA Section 17(d)(1) withdrawals." Also see language on page 12. -BLM Ring of Fire RMP. Record of Decision Issued: 03/21/2008, signed by BLM State Director Tom Lonnie. From page 12 of the ROD: "The BLM recommends the revocation of the existing ANCSA 17(d)(1) withdrawals within the planning area".
Thompson	Thomas	N/A	26	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	Yes, it's my understanding that this legislation is, the purpose is to make lands available for Vietnam veterans or Alaska Natives for allotments. Um, I guess in the Q & A there was a question about what the purposes of these lands being revoked for is, and so I guess, I'm kind of curious why, that was the only question that was answered live while the other questions were answered through text, and then the other thing that I would like to point out is that, in Alaska there are two thousand Vietnam veterans who are eligible, who have not applied for a land allotment, which means that they're, based on their ages of these veterans, there's potentially over ten thousand people who are directly affected by the lands that are available, which is a major source for lands not being applied for, and so I guess I would be very eager to hear how such a large proportion of the population of this state their needs up through this legislation. How can you spend this energy through these meetings, moving forward sort of disregarding those peoples interests.

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Little	Suzanne	The Pew Charitable Trusts	48	17(d)(1) Withdrawals (including other withdrawals overlapping planning areas)	Pew finds substantive flaws in all five RMPs, specifically in regards to analysis of the impacts of climate change and the impacts to subsistence resources from allowable uses of BLM lands in Alaska. Significantly, several plans create ACECs to protect identified important values, and then open these areas to mining in the recommendation to lift the ANCSA 17 (d)(1) public land orders. Until appropriate analyses are done, possibly in a statewide plan amendment that includes all five RMPs, all ANCSA 17 (d)(1) public land orders in all five planning areas should be retained to prohibit development.
Quick	Marla	NANA Regional Corporation, Inc.	61	PLO 7899: Kobuk-Seward Peninsula Planning Area	At this time, there remains lands selected by NANA pursuant to ANCSA that remain unconveyed by BLM, including selected lands that overlap with the lands currently subject to Section 17(d)(1) withdrawals. Furthermore, potential revocation of other certain withdrawn lands within the Kobuk-Seward Peninsula could lead to a change in land use patterns overall. For these reasons, NANA considers the preparation of an EIS analyzing the effects of opening lands currently subject to such withdrawals within the Kobuk-Seward Peninsula to be an action that will have a substantial direct effect on NANA and may substantially affect NANA's land, water areas, and resources.
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7899: Kobuk-Seward Peninsula Planning Area	The Kobuk-Seward planning area in northwestern Alaska includes 11.9 million acres of BLM-managed land. The 2007 final plan for the Kobuk-Seward creates six ACECs and 2 Special Recreational Management Areas and recommends revoking all ANCSA (d)(1)s, opening up these special areas to extractive development. In the Kobuk-Seward plan, there is no reference to an evaluation of climate change impacts on subsistence resources nor the impact to subsistence resources in the plan from opening up 1.3 million acres to extractive development. This planning area abuts the Bering Sea-Western Interior planning area in the Nulato Hills region; decisions about this large block of BLM-managed land, divided only by the planning area boundary, are of significant importance to the region's Tribes. Commission member, the Native Village of Unalakleet, nominated ACEC protection for the block of BLM-managed land from the Nulato Hills westward to the Norton Sound encompassing both the Kobuk-Seward and Bering Sea-Western Interior planning areas. The Nulato Village Tribe and others nominated the eastern watersheds in this area to protect important values, including the village's water source. Action concerning whether these 10 million acres are opened to extractive development will have a substantial impact not only on the land and resources supported there, but also the way of life of Indigenous People in the Kawerak and Nulato Hills/Koyukuk region. The inadequate evaluation of impacts should be corrected in a plan amendment for the Kobuk-Seward plan.
Foster	Kyle	Eklutna, Inc.	33	PLO 7900: Ring of Fire Planning Area	Eklutna, Inc. has over 11,000 acres of remaining selections to be conveyed by the BLM within the Ring of Fire Planning Area. Most of these selected lands are located along the south side of the Knik River Valley. To date, we have received several applications for Alaska Native Vietnam veterans in Knik River Valley and other Eklutna-selected lands. The lands selected by Vietnam veterans also appear to be selected by the State of Alaska.
Foster	Kyle	Eklutna, Inc.	33	PLO 7900: Ring of Fire Planning Area	During the course of the scoping meeting on October 4th, BLM representatives responded to a public question stating BLM will only request Alaska Native Corporations (ANC) to relinquish lands if the ANC "has enough remaining lands to fulfill its entitlement under ANCSA." It is our understanding there are no remaining lands for Eklutna, Inc. to fulfill its entitlement. Thus, it comes as a surprise that significant areas of Eklutna selected lands are scheduled for withdrawal and selection by Alaska Native Vietnam veterans. It is not a surprise these land have been selected by Alaska Native Vietnam veterans because the lands subject made eligible for selection are some of the best lands Eklutna has left to select in the Anchorage or Matanuska-Susitna Boroughs under the ANCSA Sec 11(a)(1) selections. There are other less appealing Eklutna-selected lands yet to be conveyed; however, those are not listed as eligible for selection by Alaska Native Vietnam veterans. Eklutna, Inc. is fielding requests from Alaska Native Vietnam veterans and their families for Eklutna, Inc. to relinquish their selection. We have been trying to detail the process and program to them while explaining these selected lands are part of Eklutna's last remaining lands to select within its traditional homelands, which we have waited 50 years to have conveyed.
Foster	Kyle	Eklutna, Inc.	33	PLO 7900: Ring of Fire Planning Area	Eklutna would like the BLM to address several question during the course of the developing the EIS. - Why are Eklutna-selected lands offered for select by Alaska Native Vietnam veterans if Eklutna, Inc. has been informed there are no other lands for Eklutna, Inc to selected in its ANCSA Sec 11(a)(1) area? - How were the lands made available to Alaska Native Vietnam veterans for selection identified by the BLM? Only Eklutna's best remaining selected lands were made eligible. - If there are remaining lands for Eklutna, Inc. to select, it would be helpful to have that conversation so we may make a decision on whether to relinquish or not. - If an ANC relinquishes land for selection and the land is conveyed to an Alaska Native Vietnam veteran, who will become the subsurface owner?
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7900: Ring of Fire Planning Area	The Ring of Fire planning area includes 1.3 million acres managed by BLM spanning from the Aleutian Islands to the northern part of Southeast Alaska. Under the final 2006 plan's preferred Alternative D, one ACEC is established and all ANCSA 17 (d)(1)s are recommended lifted. There is no reference to a substantive evaluation of climate change impacts on subsistence resources, nor the impact to subsistence resources from opening up 1.3 million acres to extractive development. The inadequate evaluation of impacts should be corrected in a plan amendment for the Ring of Fire plan.
Newman	Matt	United Tribes of Bristol Bay	37	PLO 7901: Bay Planning Area	In the Bay Proposed Resource Management Plan, the Bureau recognized "the exact number, kind, and variability of cultural resources within the planning area are unknown."(20) Rather than obtain the information needed to adequately analyze potential impacts to cultural resources, the Bureau cursorily summarized the types of impacts and deferred site-specific analysis to future project specific NEPA analysis.(21) The Bureau superficially addressed impacts from lifting d-1 withdrawals in a single paragraph, stating that lifting withdrawals "affect[s] cultural and paleontological resources indirectly by opening some lands to mineral leasing and location and potential mineral development."(22) The Bureau's limited analysis of potential impacts of mineral development focused primarily on potential impacts to archaeological resources.(23) Though the Bureau acknowledged that mining could cause "adverse effects to places that have religious or cultural importance to [I]ndigenous peoples," the agency made no further effort to identify or analyze such impacts.(24) (20) Bay Proposed Resource Management Plan vol. 1 at 4-72. (21) Id. at 4-74. (22) Id. at 4-73. (23) See generally id. at 4-72 to 4-77. (24) Id. at 4-73.

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Little	Suzanne	The Pew Charitable Trusts	48	PLO 7901: Bay Planning Area	The Bay planning area includes 1.2 million acres managed by BLM in the Bristol Bay region. Under the 2007 final plan's preferred Alternative D, ANCSA 17(d)(1) withdrawals would be revoked on 1,104,468 acres and those lands would be open to leasable mineral activities. In this final plan, (d)(1)s would be retained on 3,968 acres. There is no reference to a substantive evaluation of climate change impacts to subsistence resources nor the impact to subsistence resources from opening up 1.3 million acres to extractive development. The inadequate evaluation of impacts should be corrected in a plan amendment for the Bay plan.
Karns	Olivia	Tanana Chiefs Conference	35	PLO 7902: Bering Sea-Western Interior Planning Area	Though the proposed action of revoking (d)(1) PLOs includes large intact geographies outside the TCC region, the project affects several TCC member communities in the Bering Sea Western Interior (BSWI) planning area. Several potentially affected Tribes of TCC are located in the middle to lower Yukon River basin and in the upper Kuskokwim River basin. Many of these affected Tribes initially participated in commenting phases of the EIS process for the BSWI resource management planning process. Through those relatively unproductive consultation experiences during which BLM officials resisted tribal input, numerous affected Tribes in the BSWI plan caucused as a coalition to advocate for common interests through the emergent Bering Sea Interior Tribal Commission (BSITC). The BSITC contributed shared interests to the BSWI administrative record through the draft phase to final EIS documents. Ultimately, the BSITC protested recommendations issued in the finalized BSWI plan largely to critique the categorical denial of recognizing lands important to those many affected federally recognized Tribes. Though for the TCC region the environmental review over (d)(1) lands is restricted to the BSWI planning area, recommendations would apply to the forthcoming Central Yukon RMP that may affect many additional member tribes of TCC. TCC tribes continue to advocate for an amendment to the BSWI plan that recognizes lands important to affected tribes and an additional alternative to the Central Yukon plan. Since BLM ignored the request to recognize lands important to Tribes in the recent BSWI planning process, BLM must broaden and accelerate their consultation procedures genuinely evaluate Tribal communities' values and concerns into the (d)(1) environmental review process. The notice of intent refers to the need for an integrated process sympathetic to the subsistence economies and the profound affects climate change poses to rural Alaska Native communities. Further, the notice of intent cites significant deficiencies and omissions in other RMPs issued by the federal agency. Two major short-comings include previously prepared RMPs that are currently obsolete with reference to the affected environment, and non-conformance to agency planning procedures.
Karns	Olivia	Tanana Chiefs Conference	35	PLO 7902: Bering Sea-Western Interior Planning Area	The prospect of the proposed (d)(1) EIS analysis is projected to modernize the BLM decision-making processes in the context of: 1) contemporary effects and projected threats to culturally-based wild food economies, and 2) geographically widespread effects of novel climate forcings resulting from global warming over the past several decades. The (d)(1) withdrawals should be retained in the BSWI planning area until an amendment to the plan is completed with supplemental analysis on subsistence and climate change. In order to overcome those deficiencies, BLM should consider applying the BLM Planning 2.0 procedures for the (d)(1) EIS that strengthen public and tribal involvement in the NEPA process.
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7902: Bering Sea-Western Interior Planning Area	Pew has provided technical support to the Bering Sea Interior Tribal Commission and its 37 member Tribes, all of whom have participated extensively in the Bering Sea-Western Interior and the Central Yukon planning processes from 2014 until present. The Record of Decision (ROD) for the Bering Sea-Western Interior plan was signed on January 15, 2021, just days before the inauguration of President Biden. In both planning processes, Tribes nominated areas of critical environmental concern (ACECs) to protect important watersheds, cultural landscapes, and subsistence resource habitats, and requested that these lands not be opened to extractive development. Despite these requests and nominations, the 2021 Bering Sea-Western Interior's Record of Decision (ROD) removed protections for these important areas by revoking all ANCSA 17(d)(1) withdrawals, rejecting all existing and Tribally-nominated ACECs, creating no new ACECs, and eliminating all existing ACECs. Pew remains concerned about the substantial deficiencies in the BLM's Bering Sea-Western Interior planning process and its evaluation-or lack of evaluation-of impacts; there is no explanation for elimination of all ACECs, no evaluation of impacts from climate change, and no analysis of impacts to cultural and subsistence resources caused by opening nearly 13.5 million acres of public lands to extractive development. These deficient analyses preclude the BLM from adequately considering alternatives that might have lessened impacts to Indigenous communities' way of life and protected important values in ACECs.
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7902: Bering Sea-Western Interior Planning Area	Other points of concern in the Bering Sea-Western Interior plan include inadequate evaluation of impacts to the 13,070 river miles and 99 percent of BLM-managed land that the plan opened to mining. Additionally, greater than 99 percent of BLM lands were opened to commercial woodland harvest activities, encompassing 32,932 miles of streams (100 percent) and 53,796 acres (100 percent) of other waterbodies. Finally, the document inadequately evaluated how planning decisions and climate change impact subsistence resources. Because of the substantial plan deficiencies, the Bering Sea-Western Interior Proposed Plan and Final EIS Preferred Alternative E's recommendation to lift 100 percent, or 13.5 million acres of ANCSA 17 (d)(1) withdrawals, is critically flawed. All ACECs-nominated, rejected, and existing-need to be re-evaluated in an RMP amendment to enable consideration of Indigenous Knowledge that Tribes provided in nominations. Until the appropriate analysis can be completed all ANCSA 17 (d)(1) public land orders in the Bering Sea-Western Interior planning area should be retained to prohibit development. in areas that should be evaluated for special management protections, including areas nominated as ACECs by Tribes, through the plan.
Obed	Sarah	Doyon, Limited	46	PLO 7902: Bering Sea-Western Interior Planning Area	"reliance on potentially outdated data in EISs prepared in 2006 and 2007," without identifying what information it asserts might be outdated and despite the fact that the Final Environmental Impact Statement for the BSWI Planning Area, for instance, was released in December 2020. 87 Fed. Reg. at 50875 (emphasis added).

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Condon	Megan	Bering Sea-Interior Tribal Commission	34	PLO 7902: Bering Sea-Western Interior Planning Area	During the Bering Sea-Western Interior land use planning process, the Bureau routinely ignored and disregarded the Tribal Commission's and its member Tribes' comments and concerns. For example, Tribes submitted fifteen nominations for areas of critical environmental concern to protect important cultural and subsistence resources, including sheefish and salmon spawning areas and habitat, moose and caribou habitat, and subsistence use areas. Ultimately, the Bureau rejected all nominations and designated no areas of critical environmental concern in the Approved Resource Management Plan.(15) Many of the areas included in Tribes' nominations overlap with d-1 withdrawals and these nominations contain information essential to the Bureau's analysis in this process. The critical information that Tribes provided to the Bureau during the land use planning process should serve as the baseline for the Bureau's analysis in this process to ensure that places and resources of importance to Tribes are meaningfully considered and protected. (15) Bering Sea-Western Interior Approved Plan at I-10 to I-11.
Demoski	Ernest	Deloy Ges, Inc.	56	PLO 7902: Bering Sea-Western Interior Planning Area	Deloy Ges, Inc., continues to support the need to amend the BSWI RMP to allow for reconsideration of existing and nominated ACECs in the five named RMPs, and new ACEC nominations by impacted RMP tribes and specifically the Anvik Tribe. The Anvik Village Tribe nominated the Anvik River watershed, the Bonasila River watershed and the Anvik Traditional Trapping Area, all of which are all critically important areas supporting cultural values and major spawning areas for all five species of salmon and sheefish, all having important subsistence value to the people of Anvik, surrounding villages, and villages downstream of the Anvik River. The ACECs could provide additional protection in key areas, and given the Public Land Orders, like the ANCSA 17(d)(1) withdrawals can be rescinded by DOI Secretarial Order, additional protection by the ACEC is needed, especially with compounding impact of climate change and increased multi-use impacts in years to come.
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7902: Bering Sea-Western Interior Planning Area	The Tribal Commission protested the decision but, despite its substantive involvement in the process, was determined to lack standing. The Tribal Commission outline a number of points why the finalized Bering Sea-Western Interior plan is substantively flawed: 1. The BLM failed to provide meaningful opportunities for planning area Tribes to participate in the planning process and failed to adequately respond to Tribes' comments. a. Changes to planning area boundaries, post-scoping, precluded meaningful participation by planning area Tribes. b. The BLM impeded participation of cooperating agency Tribes. c. The agency failed to adequately consider and respond to Tribes' comments. 2. The BLM improperly rejected Tribes' nomination for ACECs. a. The BLM failed to give priority, as required by the Federal Land Policy Management Act, to the designation and protection of ACECs. b. The BLM's flawed evaluation of relevance and importance criteria improperly excluded Tribes' nominations. c. The BLM's evaluation of nominations failed to adequately consider Tribes' knowledge and expertise. 3. The BLM failed to comply with its multiple use and sustained yield mandates. 4. The BLM failed to adequately consider impacts to Tribes' cultural and subsistence resources and failed to adopt meaningful protective mechanism for these vital values. a. The BLM failed to adequately consider the impacts to Tribes' cultural and subsistence resources. b. The BLM failed to minimize impacts to cultural and subsistence uses resulting in potential substantial impacts to Indigenous communities' way of life. Pew echoes the Tribal Commission's longstanding request for BLM to amend the Bering Sea-Western Interior plan to correct the substantial deficiencies of the process and plan.
Obed	Sarah	Doyon, Limited	46	PLO 7902: Bering Sea-Western Interior Planning Area	According to BLM, "the most effective and preferred means" for managing the process for lifting of withdrawals is through the agency's land use planning process.(1) Section 207 Report, p. 5. Accordingly, when it undertook its resource management planning processes for the planning areas that are the subject of the noticed EIS, BLM considered the future need for the remaining 17(d)(1) withdrawals and, after consideration of public comment, consultation, and other information, developed certain recommendations relating to their disposition. The Record of Decision on the Bering Sea - Western Interior ("BSWI") Resource Management Plan, for instance, recommended that "the Secretary of the Interior revoke all ANCSA 17(d)(1) withdrawals." Bering Sea - Western Interior Record of Decision and Approved Resource Management Plan (Jan. 2021) ("BSWI RMP"), p. II-57. As the Record of Decision explained, "Revocation of ANCSA 17(d)(1) withdrawals will allow top filings by the State of Alaska to become valid selections, thereby segregating those lands. Revocation of ANCSA 17(d)(1) withdrawals would also make lands that are vacant, unappropriated, and unreserved available for qualified veterans under the Dingell Act (Public Law 116-9)." BSWI RMP, p. I-11 (emphasis added). (1) Id., p. 5; see Scoping Report for the Central Yukon Resource Management Plan, p. 20 (BLM, March 2015) ("The BLM is required to review all existing withdrawals during the planning process and determine whether they should be retained, modified, or revoked. The ANCSA withdrawals were issued by the Secretary of the Interior and as such, can only be modified or revoked by the Secretary. Therefore, the Draft RMP/EIS will only make recommendations to the Secretary on the disposition of the withdrawals."). Doyon participated extensively-through both consultation and public comment-in the development of the BSWI RMP, as it is currently doing in the development of the Central Yukon RMP, and does in the development of all of the BLM resource management plans touching our region.
McQueen	Mike	N/A	28	PLO 7903: East Alaska Planning Area	In the BLM East Alaska Planning Area review of the maps reveal the following concerns.
McQueen	Mike	N/A	28	PLO 7903: East Alaska Planning Area	1. Many of the lands to be considered for revocation of the withdrawal are within the watersheds of the Susitna, Gulkana, Tonsina, Klutina, and Tazlina Rivers. These are very important rivers and support a variety of fish populations including world famous salmon runs. This includes the Copper River since most of these rivers are tributaries to it. Healthy watersheds are a requirement for healthy fish populations. For instance, the Gulkana River supports a renown Rainbow trout fishery, the northern most run of Steelhead in the West Fork and spawning grounds for King and Red salmon. These resources are best protected through a withdrawal from extraction process that have been shown to impact fishery resources. Fishery resources are known to be sensitive to watershed development and often suffer death by a thousand cuts. The book "King of Fish" by David Montgomery outlines this concept on an international basis. The history of the demise of salmon runs and impacts to salmon runs in the Pacific Northwest are explored and analyzed. All the rivers mentioned above, have similar resources and should have similar analysis. An alternative that explores the impacts of long-term establishment of the withdrawal of these lands should be developed and considered. This alternative is NOT THE NO ACTION ALTERNATIVE.

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McQueen	Mike	N/A	28	PLO 7903: East Alaska Planning Area	2. Recreation is also an important use component of these lands. The Gulkana, Klutina, and Susitna Rivers all support substantial personal and commercial recreation uses. Healthy watersheds support these activities. Potential impacts on these watersheds must be considered. Revocation of the withdrawal exposes these watersheds to degradation that in turn impacts recreation uses. An alternative that explores long-term withdrawal should be developed and analyzed.
McQueen	Mike	N/A	28	PLO 7903: East Alaska Planning Area	3. Impacts on subsistence use on these lands and surrounding State, tribal and other federal lands should be analyzed. We often supplement our diet with wild food gathered from all these lands. Healthy lands are a requirement for healthy wild foods. Potential impacts on subsistence use of both federal and non federal lands must be explored.
McQueen	Mike	N/A	28	PLO 7903: East Alaska Planning Area	4. As you stated in the scoping document, revocation of the withdrawal would allow the consideration of other uses including mining or even disposal of these lands. Therefore, the federal revocation action triggers a whole host of potential uses and associated impacts that would not occur if the withdrawal were to remain in place. But for the revocation, no impacts from mining other extraction processes or disposal would occur. Therefore analysis must include the reasonable foreseeable future uses of these lands. As part of this you should include the potential for mining, other resource development or disposal.
Little	Suzanne	The Pew Charitable Trusts	48	PLO 7903: East Alaska Planning Area	The East Alaska planning area includes 7.1 million acres of BLM-managed lands in the Copper River region. The 2007 final plan's preferred Alternative D retains ANCSA (d)(1) withdrawals as follows: portions of the Delta Wild and Scenic River corridor; the western 2/3 of Bering Research Natural Area; portions of the Delta and Gulkana Rivers; 82 % of PLO 5150 for the inner and outer transportation and utility corridor. All other ANCSA (d)(1) withdrawals applicable to BLM-managed lands within the planning area are recommended for revocation. There is no reference to a substantive evaluation of climate change impacts to subsistence resources nor the impact to subsistence resources from opening up 1.3 million acres to extractive development. The inadequate evaluation of impacts should be corrected in an East Alaska plan amendment.
Obed	Sarah	Doyon, Limited	46	FLPMA	"failure to secure consent from the Department of Defense (DOD) with regard to lands under DOD administration as required by Section 204(i) of FLPMA (43 U.S.C. 1714(i))," without identifying the lands to which this pertains and explaining why a narrower review would not have been sufficient to address this alleged failure
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	FLPMA	The PLO violates FLPMA. Consistent with the Trump administration's efforts to keep the lifting of the D1 Lands quiet, the public comment period related to the lifting, failed to adequately include and consult with Arctic Native tribes who live in the planning area and depend on affected subsistence resources for their physical and cultural survival. The PLOs, therefore, violate FLPMA, pursuant to which it was issued.(25) FLPMA requires the Secretary to promulgate rules and regulations in accordance with the Administrative Procedure Act (APA),(26) which in turn requires agencies to undertake notice-and-comment rulemaking.(27) (25) 86 Fed. Reg. at 5,237 (citing 43 U.S.C. § 1714). (26) 43 U.S.C. § 1740. (27) 5 U.S.C. § 553. See, e.g., W. Watersheds Project v. Zinke, 441 F. Supp. 3d 1042, 1067 (D. Idaho 2020), reconsideration denied, stay granted, No. 1:18-CV-00187-REB, 2020 WL 2462817 (D. Idaho May 12, 2020) (holding Section 1740 requires BLM to adhere to APA requirements, including notice and comment, when issuing leasing procedures); Nat'l Wildlife Fed'n v. Clark, 577 F. Supp. 825, 828 (D.D.C. 1984) (holding Section 553 requirements are applicable to FLPMA, in particular regulations issued pursuant to Section 1740); Nat'l Wildlife Fed'n v. Watt, 571 F. Supp. 1145, 1151 (D.D.C. 1983) (acknowledging withdrawals are subject to APA scrutiny due to Section 1740). The PLOs are a rule for purposes of section 1740. It revokes previously applicable legal 7 standards governing the lands at issue and therefore is an "agency statement[s] of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy . . ." (28) It affects rights of broad classes of unspecified individuals.(29) And by making the lands in question "open to all forms of appropriation under the general public land laws,"(30) it carries "the force and effect of law via the creation of new rights and duties."(31) (28) 5 U.S.C. § 551(4); see also Norton v. Southern Utah Wilderness Alliance, 542 U.S. 55, 62 (2004). (29) Yesler Terrace Community Council v. Cisneros, 37 F.3d 442 (9th Cir. 1994). (30) 86 Fed. Reg. at 5,245. (31) W. Watersheds Project v. Zinke, 441 F. Supp. 3d 1042, 1067 (D. Idaho 2020). Similarly, the Secretary must provide the public with adequate opportunity "to participate in . . . the preparation and execution of plans and programs for, and the management of, the public lands."(32) Withdrawal revocations are a type of land management and therefore must only be made after opportunity for public participation.(33) Issuing revocations without a public process contravenes Congress' intent to provide for such opportunity.(34) (32) 43 U.S.C. § 1739(e). (33) See Nat'l Wildlife Fed'n v. Burford, 676 F. Supp. 271, 278 (D. D.C. 1985). (34) Id. (quoting H. Rep. No. 1163, 94th Cong., 2d, at 2 (1976)). Finally, the notice and comment period provided in relation to the PLOs does not satisfy the Secretary's notice and comment obligation under FLPMA. That process took place over a decade ago and invited comment on the overarching management plan for the entire area.(35) The withdrawal revocations were only recommendations to the Secretary at that time. Plan at 4. Thus, it would be unacceptable for the Secretary to now point back to the public process associated with that plan to justify the lack of public process in issuing PLO 7899. (35) See 72 Fed. Reg. 55,244 (Sept. 28, 2007); 73 Fed. Reg. 51,646 (Sept. 4, 2008).
Degnam	Frances Ann	Enrolled tribal member of Native Village of Unalakleet	58	Other Laws	The State of Alaska sunsetted the ACMP law in 2011. This is one of the foremost reasons these lands must be protected as D-1 Lands today.
Moselle	Kyle	State of Alaska	41	Other Laws	Retention of the d-1 withdrawals violates BLM's policy in its 2006 Report to Congress on the 2004 Alaska Land Transfer Acceleration Act and is inconsistent with BLM's RMPs for these planning areas.

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Moselle	Kyle	State of Alaska	41	Other Laws	In enacting the 2004 Alaska Land Transfer Acceleration Act (ALTAA), Congress prescribed a process to expedite settling the complex process by which the State and ANCSA corporations fulfilled their land entitlements. Section 207 of the Act directed BLM to review the d-1 withdrawals and report to Congress on whether any of them could be opened to entry(3). BLM concluded that the vast majority had fulfilled their purpose and recommended lifting them through BLM's land use planning process: (3) Pub. L. No. 108-452, § 207 (2004). In the early 1970s when the lands were withdrawn under Section 17(d)(1) and (d)(2) of the ANCSA, there were few regulations to oversee the development of the public lands and protect important natural resources. Since then, Congress has passed significant legislation for the orderly development of the public lands and to protect the environment from adverse impacts. The BLM has developed extensive oil and gas lease stipulations, required operating procedures (ROPs), and surface management regulations for miners, which are now in place and sufficient to assess and protect the resources in most situations... There are more than 158,958,000 acres of d-1 withdrawals in Alaska. Many of these d-1 withdrawals have outlived their original purpose. It may be appropriate to lift many of the d-1 withdrawals and the most effective and preferred means in managing this process is through BLM's land use planning process. Approximately 152,181,400 acres or 95% of these withdrawals could be lifted consistent with the protection of the public's interest(4). (4) BLM, Sec. 207 Alaska Land Transfer Acceleration Act: A Review of D-1 Withdrawals, Report to Congress (June 2006), at 5, 6. This, and the more stringent requirements for managing development under state and federal laws, regulations, and plans, means the original protections from the d-1 withdrawals are no longer critical for the protection of the public's interest. The d-1 withdrawals are an unnecessary encumbrance on the public land records complicating interpretation of the title record by the public.
Moselle	Kyle	State of Alaska	41	Other Laws	As BLM itself states, many of the withdrawals on BLM lands in Alaska have "outlived their purpose," are an "unnecessary encumbrance on the public land records complicating interpretation of the title record by the public," and "are no longer critical for the protection of the public's interest." Moreover, since issuing their Report to Congress, BLM evaluated lifting these d-1 withdrawals in five RMPs in Alaska: Bay, Ring of Fire, Bering Sea-Western Interior, Kobuk-Seward, and East Alaska. These plans followed the recommendations of the Report and recommend lifting the vast majority of ANCSA d-1 withdrawals, allowing for public use in accordance with existing land use plans, federal regulations, operating procedures, and multiple use laws. Despite conclusory statements that these successive reviews are deficient, this process seems oriented towards reopening settled analysis purely based on policy and outcome preferences rather than discrete corrections to these existing, comprehensive analyses. In determining whether the d-1 withdrawals were needed to protect the public interest on the lands, "BLM gave full consideration to the opportunity to achieve better management of federal lands, and to meet the needs of state and local residents and their economies through a public involvement process and resource analysis."(5) (5) Id. at 5.
Moselle	Kyle	State of Alaska	41	Other Laws	BLM has already determined that adequate analysis has been completed and that no new analysis is required. In direct contradiction to the 2006 Report to Congress on ALTAA, BLM has placed the revocation of these PLOs on hold for further analyses under the National Environmental Policy Act (NEPA), Section 204(i) of the Federal Land Policy and Management Act (FLPMA), Section 106 of the National Historic Preservation Act (NHPA), Section 7 of the Endangered Species Act (ESA), and Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA).(6) (6) 87 FR 50875. The Bay, Ring of Fire, Bering Sea-Western Interior, Kobuk-Seward, and East Alaska RMPs were each completed in conjunction with full analyses and consultations required by Section 810 of ANILCA, Section 7 of the ESA, and Section 106 of the NHPA, and the BLM concluded in each case that most d-1 withdrawals within the five planning areas could be revoked. Through validly issued Determination of NEPA Adequacy (DNA) worksheets for each planning area, BLM has already found that the exhaustive FLPMA processes leading to the five RMPs was sufficient and that no further analysis was required. BLMs NOI to complete an additional EIS is contrary to BLM's earlier findings, is dilatory, and is likely in violation to NEPA, ANILCA, ANCSA, and FLPMA.
Moselle	Kyle	State of Alaska	41	Other Laws	The BLM also concluded that the same defects this process asserts to address did not pose issues for selections within these same areas through the Alaska Native Vietnam-Era Veterans Land Allotment Program under Section 1119 of the Dingell Act.
Quick	Marla	NANA Regional Corporation, Inc.	61	Other Laws	BLM indicated in its Notice of Intent in the Federal Register ⁹ that the opening of lands within the ANCSA 17(d)(1) withdrawals at issue here would be in part for selection of lands for allotments by Alaska Native Vietnam-era veterans under Section 1119 of the Dingell Act ¹⁰ . Briefly, these selections would be made by eligible Alaska Native Vietnam-era veterans who did not have access to land allotments while serving during the Vietnam War. NANA supports a potential alternative that addresses these selections by eligible Alaska Native Vietnam-era veterans due to the five-year statutory limit on the application period within the Dingell Act, enacted in 2019. NANA believes that our nation must honor the obligation to these Alaska Native Vietnam-era veterans and that opening lands for their specific selections through partial revocation of the withdrawn lands is a necessary step to meeting the obligation to the heroes who served this country. ⁹ Id.
Karns	Olivia	Tanana Chiefs Conference	35	Other Laws	Sec. 207 Alaska Land Transfer Acceleration Act of 2004 The status and management of (d)(1) lands is a long-standing and controversial issue over complex public land and resource management policies in Alaska. During the summer of 2006, BLM issued a report to Congress titled, Sec. 207 Alaska Land Transfer Acceleration Act of 2004: A review of (d)(1) Withdrawals (BLM/AK/AD-06/007+2355+932). That report states that the purpose of the (d)(1) withdrawals "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" (ALTAA, page 3). The report admits that "[l]ifting a (d)(1) withdrawal will primarily open the lands to leaseable and locatable minerals" (ALTAA, page 4). Among the review of (d)(1) lands, the ALTAA report lists their outreach effort for which they omitted TCC as a contacted party. The report ultimately recommended that BLM should further evaluate (d)(1) lands through their resource management planning process. BLM subsequently initiated resource management plans (RMPS) for sectors of Alaska where BLM retained jurisdiction. The most recently completed RMP is in the Bering Sea-Western Interior planning area and demonstrates that the agency continues to struggle in its land and resource classification scheme, particularly with respect to classification of lands important to Alaska Native communities. This shortcoming is a consequence of incomplete inventories of resources and assessments of values on the (d)(1) lands. To re-appropriate lands important to tribes without completed inventories and assessments would result in an environmental injustice to Alaska Native descendent communities reliant on land, water and wildlife resources in their traditional land territories.

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Karns	Olivia	Tanana Chiefs Conference	35	Other Laws	The recently issued BLM Permanent Instruction Memorandum (No. 2022-011) provides policy directions and guidance on the agency's Tribal Homeland Initiative to further involve federally recognized Tribes into resource management co-stewardship agreements. The scope is broad and directs agency leadership in tribal engagement during land and resource planning, along with involvement in subsequent implementation decisions. Prospective co-stewardship guidance would include traditional and ecological knowledge basic to the agency's procedures for addressing identification and evaluation of natural and cultural resources. For example, tribal knowledge of historical and contemporary use areas plays into the requirements of the National Historic Preservation Act. Beyond the inventory of discrete legacy site localities, such as ANCSA 14(h)(1) historical places and cemetery sites, the constellation of contemporary and traditional use areas offer ethnographic understandings of traditional cultural properties and culturally landscapes in historic preservation planning and compliance. Co-stewardship pillars identified in the instructional memorandum include co-management of land, water and wildlife, along with opportunities for funding agreements. TCC is currently in discussions with DOI land and resource managing agencies over co-stewardship agreements with an emphasis on fisheries and subsistence resource management. Over the past decade, TCC has collaborated with state and federal agencies over subsistence resources and related field studies. The (d)(1) analysis on wild food economies needs to include subsistence data collected by independent federal and state agencies, and tiered into the proposed environmental review. Principles in the instruction memo offer opportunities for data gathering and documentation of resources that would contribute to improved classification of land, water and wildlife resources. As a further step in co-stewardship agreements, affected tribes can emerge as collaborators in long-term monitoring of resources on the landscape with agency resources staff and contribute to resources decision-making. This opportunity for tribal participation in long-term monitoring through co-stewardship needs to be incorporated in the alternatives of the environmental review through adaptive management arrangements. An adaptive management program should engage affected communities in long-term ecological and social monitoring with regular forums for consultation, or dialogue, to co-manage anticipated and inadvertent outcomes. A large concern about the lifting of (d)(1) PLOs is the capacity of the federal agency to manage a potential flood of applications for mineral entry and other uses under a new land and resource re-appropriation process. Already, BLM staffing has been curtailed over the past federal administration by early retirements of career employees, reduction of the workforce and agency funding cuts. The EIS analysis on the (d)(1) lands must include an assessment of federal staffing to accommodate the management of novel uses, compliance with agency permit requirement, and the capacity of law enforcement. The (d)(1) EIS analysis should include an assessment on how co-stewardship agreements may contribute to filling the gaps in BLM resource staffing.
O'Reilly-Doyle	Kathleen	N/A	50	Other Laws	The 2019 Dingell Act gave Vietnam Veterans until December 29, 2025 to make application for up to 160 acres of federal lands. Please explain in the analysis if the lands in these 17(d)(1) Withdrawals are included in the lands available for these Veterans claims. If they are not, why they are not available to them for their claims? If they are within these Withdrawals, how these Withdrawals can be vacated prior to the deadline for their claims and the subsequent adjudication of their claims?
Obed	Sarah	Doyon, Limited	46	Other Laws	As various reports and plans have concluded since the 2004 Alaska Land Transfer Acceleration Act ("ALTAA"), Pub. L. No. 108-452 (2004), the ANCSA section 17(d)(1) withdrawals-which were intended to be temporary-have served their purpose and can be lifted consistent with the protection of the public's interest.

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Obed	Sarah	Doyon, Limited	46	Other Laws	Section 17(d)(1) withdrew all unreserved public lands in Alaska from appropriation under the public land laws for a period of 90 days. 43 U.S.C. § 1616(d)(1). During that period, the Secretary of the Interior was directed to review the public lands in Alaska and determine whether portions of these lands should be withdrawn under other existing authorities to properly protect the public interest in the lands. Id. Section 17(d)(1) authorized the Secretary to classify or reclassify public lands pursuant to those determinations, and to open such lands to appropriation in accordance with those classifications. Id. As part of an effort to help facilitate the completion of land conveyances in Alaska, the ALTAA directed the Secretary of the Interior to review the 17(d)(1) withdrawals and to submit a report to Congress within 18 months identifying any portion of the lands withdrawn under section 17(d)(1) that could be opened to appropriation under the public land laws consistent with protection of the public interest in those lands. ALTAA, § 207. BLM completed its report responding to section 207 of the ALTAA in June 2006. Sec. 207 Alaska Land Transfer Acceleration Act: A Review of D-1 Withdrawals (BLM, June 2006) ("Section 207 Report"). BLM provided a 90-day opportunity for public notice and comment in connection with its development of the report, and the report incorporated input from the public, the State of Alaska, and other Federal agencies. Id., p. 5. The report includes an entire chapter describing public involvement in the report's development. Id., pp. 65-144. The Section 207 Report concluded that almost all of the 17(d)(1) withdrawals "could be lifted consistent with the protection of the public's interest." Id., p. 5. The 17(d)(1) withdrawals were intended to be temporary, and their original purpose has long since been fulfilled. As the Section 207 Report explained: The ANCSA withdrawals were intended to protect resources, to prevent encumbrances that could interfere with State or Native entitlements, and to study lands for further inclusion into conservation units. In the early 1970s when the lands were withdrawn under Section 17(d)(1) and (d)(2) of the ANCSA, there were few regulations to oversee the development of the public lands and protect important natural resources. Since then Congress has passed significant legislation for the orderly development of the public lands and to protect the environment from adverse impacts. The BLM has 1) developed extensive oil and gas lease stipulations, required operating procedures (ROPs), and surface management regulations for miners, which are now in place and sufficient to assess and protect the resources in most situations, 2) the selection period is over and the BLM is completing conveyance of State and Native entitlements, and 3) more than 102,097,900 acres have been withdrawn by ANILCA and incorporated into CSUs sufficient to protect those lands. . . . In summary, there are more than 158,958,000 acres of d-1 withdrawals in Alaska. Many of these d-1 withdrawals have outlived their original purpose. It may be appropriate to lift many of d-1 withdrawals and the most effective and preferred means in managing this process is through BLM's land use planning process. . . . A majority of these lands have low to medium locatable mineral potential with a few scattered areas of high potential. Very few of these lands have any known potential for coal, oil or gas. Most lands with medium to high locatable mineral potential, or known leaseable mineral potential, were previously opened, or selected by the State of Alaska or Native corporations. This and more stringent requirements for managing development, means the original protections from the d-1 withdrawals are no longer critical for the protection of the public's interest. The d-1 withdrawals are an unnecessary encumbrance on the public land records complicating interpretation of the title records by the public." Id., pp. 5-6
Obed	Sarah	Doyon, Limited	46	Other Laws	"possible failure to adequately evaluate impacts under section 7 of the Endangered Species Act (ESA)," without explanation as to the specific nature of that possible failure
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Mitigation	EPA recommends that the EIS identify the type of activities that would require mitigation measures because of this action, and the parties responsible for implementing mitigation. Identify in the EIS, to the extent possible, mitigation goals and measurable performance standards to reduce impact.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Monitoring	EPA recommends that the project implement an environmental monitoring and adaptive management program design to assess both impacts from the project and whether implemented mitigation measures are effective. We recommend that the monitoring programs or plans be described in the EIS with a sufficient level of detail to evaluate the monitoring effectiveness at meeting monitoring goals and that the EIS also discuss public participation, and how the public can get information on mitigation effectiveness and monitoring results.
Lussier	Matthew	TRCP Supporter	71	Physical Environment	Additionally, why do we need to continue exploiting lands for personal or governmental gain? This world is a fixed commodity, nothing is coming back. If we continue to deplete all of our resources, what will be left for future generations? Life is a series of choices.
Magwire	Wendy	TRCP Supporter	72	Physical Environment	No new roads, no mineral or recreational developments. Our world is so impacted by human development. We need undeveloped wild lands. Please, do not open these BLM lands to development. Why should the majority of people who want to keep these lands free from development lose what us so valuable to us to a handful of developers out to make a profit from land that belongs to all of us? It is not right.
Scarantino	Jesse	TRCP Supporter	76	Physical Environment	Please leave Alaska D-1 lands alone. It's shocking how quickly the BLM and USFS are trying to turn Alaska in the lower 48. What is lost to industry will never be recovered, and the Western US is a prime example of this. Once the mining is done, the roads remain, and the OHV's arrive. The United States doesn't need to be a resource-extraction based economy forever.
Schwach	Christopher	TRCP Supporter	77	Physical Environment	Alaska is widely known as 'The Last frontier' because of its great abundance of unsettled land. Many look to Alaska when they think of majestic scenery and wildlife, an action like this would be a step towards tainting this imagery for many individuals world wide. Many states such as Texas, Arizona, and Utah have received much backlash for similar actions with their state land showing data that would say this is not in public interest.
K	George	N/A	47	Climate and Meteorology	I implore the BLM and management agencies to consider the impact that revocation of the 17d1 withdrawals would almost certainly have on the lands and waters in question as well as the climatic effects that mining would have on the planet.
Halloran	Maddie	Alaska Wilderness League	22	Climate and Meteorology	These lands are really important to traditional use and food security. They also help to buffer communities and their critical resources against the effects of things like climate change. They protect biodiversity and make communities more resilient to extreme weather events and natural disasters. I would ask that you take this opportunity to also consider holistically examining the associated Resource Management Plans for these areas, as many of them don't consider crucial environmental issues like the effect of climate change.

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Karns	Olivia	Tanana Chiefs Conference	35	Climate and Meteorology	Climate change threats to affected communities in the (d)(1) lands project area is a universal concern. The scientific literature on the current and future effects of climate change to communities in western and Interior Alaska is extensive. Studies have shown that the climate in the arctic and subarctic is heightened compared to the mid-latitudes and pose substantive threats to the infrastructure in communities and the broader natural ecosystem. Variable factors for Interior Alaskan communities include dialed-up frequent spring ice-jam flooding, intensive wildland forest fires and lateral erosion along inland river corridors. The phenomenon of thawing permafrost poses landscape effects as land subsidence contributes to more expansive flooding and erosion. Increasingly, climate change effects are attributed to reductions of ocean habitats for the health of wild salmon populations endemic to the Yukon and Kuskokwim river basins. TCC participated in a recently completed review by the Government Accountability Office, titled Alaska Native Issues: Federal Agencies Could Enhance Support for Native Village Effort to Address Environmental Threats (May 2022, GAO-22-104241). This report provides a broad review of threats to Alaska Native villages in coastal and riverine settings and details federal programs that can provide assistance to communities. The BLM EIS analysis should include a review of the extensive literature on climate-change induced environmental threats to (d)(1) lands and integrate those factors extensively in the development of alternatives.
Hammond	Christina	TRCP Supporter	67	Climate and Meteorology	Alaska, like many other states, is highly being affected by global warming and forest fires. Mist landscapes have been severely affected. Leave it alone or we will lose our last natural place.
Karro	Loren	N/A	55	Climate and Meteorology	Consideration must be given to the effects that transfer of these lands out of protected status, and potentially out of federal hands, might have on the physical and emotional stability of the local villages and peoples. Increased climate warming will cause increased severe storms, threatening homes, infrastructures and whole villages. Increased development on neighboring lands would cause increased air, water and noise pollution, to the detriment of physical and mental health as well as the cultural and traditional activities of the local peoples.
Litmans	Brian	Trustees for Alaska	38	Climate and Meteorology	The Section 207 Report Analysis is now over sixteen years old. Since that time, Alaska has experienced dramatic ecosystem-level changes that were not analyzed in the 2006 Section 207 Report. The observable, ongoing changes related to the climate crisis are rapidly accelerating, and the Arctic regions of Alaska are among the most rapidly warming areas on the planet. Alaska is experiencing warmer average temperatures, erratic weather patterns and increased storms, reduced ice cover, increased soil moisture levels, changes in wildlife habitat use and patterns, thawing of permafrost, increased wildfires and insect outbreaks, changes in streamflow, greening of tundra and changes in vegetation.(47) This significantly affects people in the region as well as the terrestrial, avian, aquatic, and marine species they depend on for traditional and cultural use. The changing ecosystem provides a critical context for the analysis of the effect of maintaining or lifting the Section 17(d)(1) withdrawals that was not considered in the Section 207 Report. (47) See, R. Thoman & J. E. Walsh, Alaska's changing environment: Documenting Alaska's physical and biological changes through observations (H. R. McFarland ed., 2019), International Arctic Research Center, University of Alaska Fairbanks (Thoman & Walsh) (attached). BLM has itself recognized some of these changes in its recent environmental impact statement for the National Petroleum Reserve in Alaska. See BLM, National Petroleum Reserve in Alaska, Final Integrated Activity Plan and Environmental Impact Statement, Vol. 1 at 3-2 (June 2020). In addition, information is readily available today to predict the effects climate change will have in Alaska in the coming years. For example, Western Alaska is projected to experience significant changes in precipitation and temperature through this century.(48) These changes will result in permafrost thaw, increased fires, sea ice loss, and other changes in terrestrial and marine environments that can affect the region's water resources, wetlands, vegetation, fish and wildlife, and human communities.(49) In addition, shifts in vegetation are expected to result in less tussock tundra in the future years with boreal forests expanding northward.(50) Warming-induced changes in the planning area are projected to harm many of the region's terrestrial, avian, aquatic, and marine species. Changes in lichen, either through increased fires or vegetation shifts, will affect caribou and muskoxen.(51) Changes in Arctic tundra and the Arctic-Boreal transition zone will also affect birds.(52) Management decisions affecting lands in Alaska need to incorporate accurate and up-to-date information about these processes and projected impacts.(53) (48) C. Markon et al., Alaska, in Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II 1185, 1191, Fig. 26.1(c),(d) & 1192 (D. R. Reidmiller et al. eds., 2018), U.S. Global Change Research Program, Washington, DC, USA, https://nca2018.globalchange.gov/downloads/NCA4_Ch26_Alaska_Full.pdf (Markon et al.) (attached). (49) Id. at 1187-88, 1192-1209, 1214-21; R. Clark et al., The Effects of a Changing Climate on key Habitats in Alaska, Alaska Department of Fish and Game, Special Publication No. 10-14 (Sept. 2010) (Clark et al.) (attached). (50) C. S. Silapaswan et al., Land Cover Change on the Seward Peninsula: The Use of Remote Sensing to Evaluate the Potential Influences of Climate Warming on Historical Vegetation Dynamics, 27 CANADIAN JOURNAL OF REMOTE SENSING 542 (2001) (Silapaswan et al.) (attached); see also U.S. Geological Survey, Changing Arctic Ecosystems, Fact Sheet (July 2013) (USGS 2013) (showing the transition zone) (attached). (51) See, e.g., Clark et al. at 50 ("Tundra habitat shrinkage will be especially hard on Muskoxen and caribou."); Jandt et al. at 93-94 (discussing interplay of permafrost thaw, tundra fire, and climate change on lichen and caribou winter range). (52) See, e.g., Clark et al. at 50 ("The predicted loss of between one and two-thirds of Alaska's Arctic tundra habitat, coupled with the forecast diminishing number and size of Arctic wetlands means there will be substantially less habitat available for all birds dependent upon Arctic wetlands."); USGS 2013. (53) See R. C. Busey & L. D. Hinzman, Seward Peninsula, Alaska, Permafrost Distribution in the Recent Past, Present and Future, American Geophysical Union, Fall Meeting 2006, abstract (Dec. 2006), https://ui.adsabs.harvard.edu/abs/2006AGUFM.C51B0418B/abstract ("Projections of changes in permafrost are an essential prerequisite to accurate prediction of changes in hydrology, ecology, and surface energy balance."); L. Alessa et al., Freshwater vulnerabilities and resilience on the Seward Peninsula: Integrating multiple dimensions of landscape change, 18 GLOBAL ENVIRONMENTAL CHANGE 256 (2008) (analyzing tools for communities to use in evaluating land use decisions with respect to localized climate impacts) (attached).

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Litmans	Brian	Trustees for Alaska	38	Climate and Meteorology	Section (d)(1) withdrawals protect large, connected landscapes that shelter important fish watersheds and provide habitat for caribou, waterfowl, and other resources important to Alaska Native traditions and cultures. In the EIS, BLM must recognize the value of retaining withdrawals to protect these resources and support the communities that depend on them. While subsistence resources may have been addressed to some extent through previous resource management planning processes, those analyses are outdated and inadequate because they do not account for significant shifts related to climate change.(69) Maintaining large, connected landscapes is increasingly important to buffer the effects of climate change as species, and the people who depend on them, adapt to new environments. (69) See supra Sec. III.
Not Provided	BLM stakeholder	N/A	14	Climate and Meteorology	Please keep these withdrawals in place. Mining threatens the natural resources that tribes rely on for their subsistence uses. This is an environmental justice issue. Politically connected mining companies and their profits versus Alaskan Native Americans and their cultural uses and survival. The climate crisis is already stressing Alaska natural resources, fisheries, wildlife, and ecological systems. Future mining would significantly add to those stresses. I am counting on the Biden administration to maintain these withdrawals consistent with its environmental and climate policies.
Not Provided	A friend of Alaska and the biosphere	N/A	5	Climate and Meteorology	The worsening climate crisis should be a pivotal issue for this NEPA analysis. This crisis is already causing dangerous environmental changes in Alaska and throughout the world. At least five disastrous climate tipping points may have already been reached. Massive human suffering and economic damage is now locked in and irreversible. Further delays in reforms will make this incredibly worse. Public lands must stop being developed for harmful fossil fuel and other unsustainable uses. Public lands must become a powerful part of the solutions. Growing trees and other vegetation must be protected and restored to sequester more atmospheric carbon. Only environmentally responsible and sustainable land uses should be approved. The status quo lethargy of federal agencies should end. A new era of aggressive, proactive federal actions should replace it. We need positive change at a scale comparable to that of the problems. The outcome of this process must contribute to that indispensable change.
O'Reilly-Doyle	Kathleen	N/A	50	Climate and Meteorology	President Biden issued an Executive Order on Tackling the Climate Crisis at Home and Abroad. Since addressing the Climate Crisis is a national and global imperative, this EIS should provide analysis on how the lands included in these 17(d)1 Withdrawals are being reviewed by all members of the Task Force formed in that Executive Order, to determine if retention of these lands in federal management could meet the national and global efforts to address climate change.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Climate and Meteorology	In addition, the RMPs being applied as instruments for lifting the land withdrawals fail to fully consider the environmental impacts of opening such lands to development. Under the Federal Land Policy and Management Act and National Environmental Policy Act, the BLM must consider an accurate baseline of conditions in order to maintain a current inventory of and consider the impacts of decisions on environmental conditions and analyze greenhouse gas emissions that will be generated from development of lands in which the withdrawals have been revoked.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Climate and Meteorology	Development contained in the Resource Management Plans/Final EISs it applied to justify the PLOs is insufficient. On the one hand, for example, the Bering Sea Western Interior (BSWI) Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/Final EIS) acknowledges that due to the fact that temperatures "in Alaska have warmed twice as fast as the global average since the mid-twentieth century,"(9) the "following climate change scenarios are likely in the planning area: * Increased temperatures * Permafrost thaw * Decreased snow cover (albedo effect),"(10) and that these impacts could be related to the number of "[a]cres open to locatable mineral development in areas of medium to high LMP."(11) On the other hand, the only effects resulting from climate change that the BLM lists from mining activity is the "the potential for higher GHG emissions from mineral development."(12) By concluding that the only effects of climate change from opening up the entire planning area to mining activity could be increased carbon emissions, however, the PRMP/Final EIS ignores the effects that opening the entire planning area, including rivers and streams that contain critical fish and wildlife habitat, can have on reducing stream flows, thereby, exacerbating the impacts of higher temperatures on such habitat. (9) RMP/Final EIS's at 3.2.2. (10) Ibid at Table 3.2.2-1. (11) Ibid at Table 3.2.2-2. (12) Ibid 3-10. In addition, at just about any life stage salmon need cold water. Especially when they are already swimming many miles up streams to return spawning areas, the fish can start running into trouble if the water temperature is over 59°F. Initially, they can become susceptible to diseases and exposure to toxins and their metabolisms which are already running high, can accelerate. Also, when water temperature goes up dissolved oxygen goes down at a time when salmon need more oxygen because the higher temperatures elevate their metabolism, respiration and oxygen demands. If the temperatures keep rising than the fish's blood is unable to carry enough oxygen to their brains and bodies and they can die of a heart attack. Dramatic increases in temperature as a result of climate change, have caused fish die-offs in several watersheds affected by potential mining in the planning area. In a July 2019 interview conducted by Nome radio station KNOM, for example, Wes Jones, Director of Fisheries, Research, and Development for the Norton Sound Economic Development Corporation, said the scope of the larger-than-normal salmon die-off in Norton Sound signaled a shift in the arctic freshwater ecosystems and affected several communities from east to west, including Kotlik, Elim, Unalakleet, Shaktoolik, Golovin, Alakanuk, and Akiak. According to Jones, "There's been reports all the way from [Unalakleet] in Eastern Norton Sound all the way over to the Nome area. And it's a very widespread area. The big change is that it appears that it is a much bigger event happening in Eastern Norton Sound than what you're seeing as you get closer to the Nome area."(13) (13) No citation listed

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Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Climate and Meteorology	The Kobuck-Seward FEIS, for example, declines to analyze how a decision to lift withdrawals will contribute to climate change on the basis that these effects "must be viewed from a global perspective," and any effects of the action "would be minor when compared to global greenhouse gas contributions."(14) This approach does not satisfy NEPA. "[T]he fact that climate change is largely a global phenomenon does not release the agency from the duty of assessing the effects of its actions on global warming."(15) (14) FEIS at 4-219. (15) Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin., 538 F.3d 1172, 1217 (9th Cir. 2008). Greenhouse gas emissions are a reasonably foreseeable indirect effect of the Secretary's decision to lift withdrawals, opening millions of acres to mining and oil development, and NEPA requires the Secretary to assess them in an EIS prior to making any decision to lift withdrawals.(16) (16) See, e.g., Ctr. for Biological Diversity v. Bernhardt, 982 F.3d 723, 737 (9th Cir. 2020) (emissions from oil and gas development project); Ctr. for Biological Diversity, 538 F.3d at 1216-17 (downstream greenhouse gas emissions from automotive fuel efficiency rule); Sierra Club v. Fed. Energy Regulatory Comm'n, 867 F.3d 1357, 1373-74 (D.C. Cir. 2017) (downstream emissions from burning natural gas transported in proposed pipeline); Mid States Coal. for Progress v. Surface Transp. Bd., 345 F.3d 520, 549-50 (8th Cir. 2003) (downstream emissions from burning coal transported on proposed rail line); WildEarth Guardians v. Zinke, 368 F. Supp. 3d 41, 73 (D.D.C. March 2019) (downstream emissions from burning oil and gas produced as a result of oil and gas leasing decision); Mont. Env'tl. Info. Ctr. v. U.S. Office of Surface Mining, 274 F. Supp. 3d 1074 (D. Mont. 2017) (downstream emissions from burning coal produced as a result of coal mine expansion).
Bristol	Tim	SalmonState	39	Climate and Meteorology	Alaska is already experiencing rapid ecological fluctuations due to climate change. Yet, Alaska's D-1 lands include large tracts of intact ecosystems, rivers, and watersheds, which support an abundance of biodiversity found in very few remaining places globally. These lands can provide refugia for fish and wildlife populations to adapt and, in doing so, provide stability for subsistence resources and food security for communities. Protection of D-1 lands also provides natural climate mitigation solutions that are essential to meeting national and global goals for climate stabilization. We appreciate BLM's thoughtful approach in taking the time to analyze the true value of D-1 lands.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Climate and Meteorology	The Bureau's analysis must include consideration of the current and anticipated future impacts related to climate change. Changes in habitat, shifts in migration patterns, and increases in extreme weather events are just a few of the climate change related effects we're currently experiencing. These changes further demonstrate the need to protect the landscapes and large intact ecosystems that sustain our traditional subsistence-based ways of life.
Demoski	Ernest	Deloy Ges, Inc.	56	Climate and Meteorology	Deloy Ges also supports and urges the critical need to consider, include, and apply the best available climate science in the in any analysis of the five RMPs. During the planning process, the BSWI plan included dated climate projections from the 3rd National Climate Assessment rather than the 4th National Climate Assessment when the plan Alternatives were presented in Anvik to the tribal leadership and members. Climate change projections across Alaska, inclusive of western and Interior Alaska suggest that the Anvik River watershed and the BSWI region will undergo significance environmental change, including increased wildfire, increase days of heat, earlier and short spring and later fall seasons, increased insect infestation, increased wind, and more precipitation. Extreme weather that will cause disruption, like the 2019 fish die-off, is also projected to continue.All of these impacts will add stress on the land, and especially the animals and fish that rely on the land, watersheds, and ecosystems of the BSWI region. This increased stress coupled with the potential increase of mining and development with the current BSWI plan, is a significant threat to regional food security and cultural practices. To not fully account for the combined compounding and cascading impact of increased environmental threats, mining and development, increased competition with multiple use, is environmentally and culturally unjust.
Hotch	Jones	Chilkat Indian Village	30	Climate and Meteorology	Climate change is dramatically reshaping our valleys and mountains. We would like to request that D1 withdrawals be maintained until climate change planning is completed for all BLM lands within Alaska. This planning can include an inventory of sacred sites in accordance with Tribal government requests that may expand beyond the definition of these sites within Section 106 of NHPA. Planning can also include a complete inventory of greenhouse gas emissions, storage, and sequestration potential, so that any future resource development of these lands needs to consider the cost to our future environment. Many of our lands in this region are glaciers, wetlands, riverine uplands, and forests that are so important for the future of carbon storage and sequestration. The Chilkat Valley and the BLM lands within this region are some of the most intact lands within Alaska. We understand taking these actions are within the scope of BLM's authority under FLPMA, and look forward to assisting the agency in holistic planning and management to mitigate the impacts of climate change.
Karro	Loren	N/A	55	Climate and Meteorology	The effects of releasing these lands for future uses, including mineral claims, must be carefully analyzed for the effects on climate change, including the global warming effects, the local effects on villages and peoples within and near the lands, and the compliance with National Policies and Directives. For instance, the Administration has very recently released a National Strategy for the Arctic Region (October, 2022). This strategy lists some Strategic Objectives as follows: "Strategic Objective 2.2: Pursue International Initiatives to Mitigate Emissions in the Arctic The United States will work to reduce localized emissions of carbon dioxide, methane, and black carbon, through both existing and new bilateral and multilateral initiatives as appropriate to complement our global mitigation efforts. Mitigation should also include protection of habitats that store carbon, such as forests, tundra, and coastal marshes." "Strategic Objective 2.4: Conserve and Protect Arctic Ecosystems, including through Indigenous Co-Production and Co-Management The United States must continue to pursue multilateral initiatives and research to conserve and protect Arctic biodiversity, ecosystems, habitats, and wildlife, expanding on concepts like the Northern Bering Sea Climate Resilience Area." The objectives go on to detail that "Conservation in the Arctic should be consistent with the America the Beautiful Initiative, which sets out our national goal of conserving 30 percent of America's land and waters by 2030, as well as our international commitments to conservation and climate." In examining the potential release of these lands, putting most of them aside without allowance for resource development would go a long way to helping achieve the "30 X 30" goals. At the very least, a detailed analysis of what the release of these lands for possible development would do to these objectives should be made and detailed in any EIS.

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Karro	Loren	N/A	55	Climate and Meteorology	In analyzing the permanent, immediate effects of possible development on any arctic and sub-arctic lands, serious consideration of the release of methane from permafrost and tundra melting and warming waters needs to be foremost. It has been documented that warming of the arctic regions is happening 3 times faster than in the rest of the world. As this warming melts permafrost and warms waters, the stored methane in them is released. Methane, while admittedly not as long lasting in the environment as CO2, is over 80 times more powerful as a warming agent. This creates an immediate and cascading effect of melting more permafrost and tundra lands and warming more water, releasing more methane, in an ultimately unstoppable spiral.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	45	Climate and Meteorology	Given that Alaska's D-1 lands are concentrated in the Arctic and Western Alaska-regions of the state that are particularly vulnerable to climate change impacts-it is critical that the D-1 EIS is based on the best available science. Management decisions affecting public lands in Alaska should incorporate updated information about climate change and projected impacts on habitat, subsistence, recreation, and rural communities.
Litmans	Brian	Trustees for Alaska	38	Climate and Meteorology	As BLM has recognized elsewhere, connectivity within and between landscapes is a critical attribute of quality wildlife habitat.(70) There is ample scientific support for the importance of preserving landscape and aquatic habitat connectivity in maintaining or restoring ecosystem function.(71) The effects of climate change have emerged as an important consideration to integrate into models and analyses intended to assess not just today's important habitat corridors, but those expected in the future of our warming world, especially in the Arctic.(72) Retaining the withdrawals will put BLM in a much stronger position to maintain important habitat connectivity across the 28 million acres. (70) See e.g., BLM Central Yukon Resource Management Plan Draft Environmental Impact Statement at 2-49 (identifying maintenance of connectivity between conservation units as an Action Alternative Objective); Appendix F at F14-F15 (Standard Operating Procedure LANDSCAPE-1, generally prohibiting activities that disrupt habitat connectivity, cause habitat fragmentation, or present barriers or deterrents to wildlife movement in landscape connectivity corridors); Appendix G at G8-G9 (establishing habitat connectivity as part of BLMs adaptive management strategy and proposing structural connectivity corridors for all action alternatives). (71) See e.g., Magness, D.R., A.L. Sesser, and T. Hammond. 2018. Using topographic geodiversity to connect conservation lands in the Central Yukon, Alaska. Ecology 33:547-56 (attached). (72) See e.g., Gabrielsen, C. 2019. Evaluating climate connectivity for proactive landscape conservation planning in Alaska and northwest Canada. Alaska Cooperative Fish and Wildlife Research Unit final report to US Fish and Wildlife Service. 28pp. https://www.sciencebase.gov/catalog/item/5be630c1e4b0b3fc5cf8cc00 (attached); Carroll C, Parks SA, Dobrowski SZ, Roberts DR (2018) Climatic, topographic, and anthropogenic factors determine connectivity between current and future climate analogs in North America. Glob Chang Biol 1-15. doi: 10.1111/gcb.14373 (attached).
Litmans	Brian	Trustees for Alaska	38	Climate and Meteorology	Alaska is experiencing the effects of rapid climate change, including changes in terrestrial habitat, permafrost thaw, changes in abundance of many species, loss of sea ice, and changes in weather patterns.(73) These changes are shifting migration patterns and habitat use for caribou and other animals, reducing habitat for many bird species, shifting seasonal weather patterns, and, as a result, causing significant changes in access to subsistence resources for many communities.(74) As some communities are forced to relocate because of erosion, permafrost thaw, and storm surges, they must turn to entirely new areas to fish, hunt, and forage.(75) Other communities have expanded networks for sharing foods or learned to fish for new species as traditionally important resources become less available because of shifts in habitat use, or as travel to traditional areas becomes more difficult, dangerous, or less dependable.(76) These changes have critical consequences for culture and food security in Alaska Native communities. Maintaining withdrawals across large, connected landscapes is essential to mitigate the effect of these changes in a climate that is continually changing and affecting subsistence use patterns. (73) See, e.g., Steve T. Gray, et al., Alaska, IMPACTS, RISKS, AND ADAPTATION IN THE UNITED STATES: FOURTH NATIONAL CLIMATE ASSESSMENT, Vol. II, 1186-89 (2018); R. Thoman & J.E. Walsh, Alaska's Changing Environment: Documenting Alaska's Physical and Biological Changes Through Observations (2019). (74) Gray, et al., at 1199; B.G. Marcot, Projected Changes in Wildlife Habitats in Arctic Natural Areas of Northwest Alaska, CLIMATIC CHANGE (2015) (attached); W. Arctic Caribou Herd Working Group, Caribou Trails (2022) (attached). (75) E. B. Ristroph, Alaska Tribes' Melting Subsistence Rights, 1 ARIZ. J. ENV'TL LAW & POLICY 47 (2010). (76) Gray, et al., at 1199, 1206.
Moffitt	Susan	TRCP Supporter	73	Climate and Meteorology	Don't destroy the wilderness and desecrate the environment. Humans are killing the planet in the name of profit, not caring about the world we leave to our children. Climate change is decimating our world. Save what little remains. NOW.
Not Provided	A BLM stakeholder	N/A	4	Climate and Meteorology	For scoping, the DEIS should analyze a reasonable range of alternatives through the prism of how each alternative would affect climate change. This means the "carbon budget" of each alternative so they can be reliably compared. On one side, the anticipated cumulative emission or release of harmful GHGs. On the other side, the anticipated cumulative capture and storage of atmospheric carbon by growing trees and vegetation. President Biden has properly called the climate crisis an existential threat to humanity. This crisis is rapidly getting worse, including in Alaska. Permafrost is melting and releasing methane. Boreal forests are increasingly dry and burning. Status quo management is no longer appropriate or sustainable. On this and other pending matters, BLM must demonstrate proactive leadership to help solve the climate crisis.
Not Provided	American for healthy public lands	N/A	2	Climate and Meteorology	Please do not open currently protected Alaska federal lands to destructive human developments. Many federal lands have already been destroyed, degraded, and fragmented from such developments. Climate change is causing increasingly serious and rapid ecological changes. These changes augment the cumulative adverse impacts from developments. In light of these growing stresses and threats, federal lands deserve and need greater protection. The ultimate source of wealth for humanity is to ensure sustainable uses that maintain or restore healthy ecological systems.

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Not Provided	Concerned American	N/A	1	Climate and Meteorology	Please keep the current withdrawals in effect to continue protection for these important and sensitive public lands. As President Biden and Interior Secretary Haaland have properly warned, the climate and extinction crises are real, connected, getting worse, and require bold and innovative solutions. Alaska is already suffering including from melting permafrost and fires in boreal forests. The Trump era public land orders should not proceed because they would constitute a huge and incredibly harmful step backward. They would also conflict with the Biden administration's America the Beautiful 30 by 30 conservation commitment. Our public lands need greater protection. Fossil fuel and other developments have already caused significant adverse cumulative impacts. Rapid environmental changes are also stressing ecological systems. Maintaining these withdrawals is reasonable, necessary, and in the public interest.
O'Reilly-Doyle	Kathleen	N/A	50	Climate and Meteorology	Provide a comprehensive analysis to determine if any of the lands within or adjacent to these 17(d)1 Withdrawals have permafrost soils and if so are subject to current or future melting and release of methane gases. If they are, analysis should be provided to consider retaining them in federal management and developing management plans to address how the melting of permafrost and the release of methane gases could be slowed or curtailed. Methane has more than 80 times the warming power of carbon dioxide over the first 20 years after it reaches the atmosphere. Even though C)2 has a longer-lasting effect, methane sets the pace for warming in the near term. At least 25% of today's global warming is driven by methane from human actions. (Environmental Defense Fund 2022).
Redman	Steve	TRCP Supporter	75	Climate and Meteorology	No. Keep them wild. In this age of climate change and the biodiversity crisis/sixth worst extinction in Earth history & all caused by human activity, the Earth & the children can't afford any more destruction of the Earth and undermining of climate stability. Keep it all wild and undeveloped...the future of Life on Earth depends on it. The days of rape and pillage and growth economics are over. Let Alaska & the USA re-inhabit and carefully/ecologically-sensitively nurture the domestic lands already developed. The already developed domestic lands are the 'new frontiers' of today & the future. Regenerate them wisely to ecologically healthy and sustainable places and communities. No new, wild lands opened in Alaska, they are needed by the Earth for biodiversity conservation. Let the Native Alaskans up there use them respectfully/sustainably as they have for 10,000 years. Thank you for your time, consideration, and attention to this matter.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Climate and Meteorology	In characterizing the existing environment, EPA recommends that the EIS include existing and reasonably foreseeable environmental trends related to a changing climate. We additionally recommend that the EIS include a discussion of reasonably foreseeable effects that changes in the climate may have on the proposed project and the project area. If projected changes could notably exacerbate the environmental impacts of the project, EPA recommends these impacts also be considered as part of the NEPA analysis.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Climate and Meteorology	The BLM should consider partnerships with Tribal Organizations in drafting the EIS. Because Arctic Native communities will be most affected by climate change and natural resources development on water and subsistence resources, they are the appropriate entities for taking the lead in addressing impact. In fact, some of these communities have been monitoring and speaking out against the impacts of mining and other development on critical salmon rivers and streams for years and are taking the lead in monitoring the effects of increased stream temperatures resulting in salmon die-offs. In it's latest climate adaption planning project for example, the Native Village of Elim is partnering with the Norton Bay Inter-Tribal Watershed Council to develop a climate change risk assessment for the Tubutulik River Watershed that will apply drought and temperature forecasting to predict instream flows and temperature and develop protocols for collecting instream flow, temperature, and dissolved oxygen data during the summer season when temperatures are at their highest. The risk assessment will also, identifying a process for applying the modeling and data collected to assist policy makers and land managers in mitigating land uses that will potentially exacerbate climate-related impacts in the watershed and applying for instream flow water rights under Alaska state law on stream reaches in sensitive watersheds that have been opened to mining activity. Once the Assessment is completed, it will serve as an ecosystem-wide vulnerability assessment for natural resources that can be used by other tribes as a template for conducting their own modeling, data collection, and outreach to federal and state agency land managers. Partnering with tribal entities in analyzing climate impacts on critical fishery habitat that may be exacerbated by mining and other development on public lands, therefore, is consistent with Alaska President Clinton's Executive Order 13175 which directs such agencies to "establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications" and to "respect Indian tribal self-government and sovereignty, honor tribal...rights, and strive to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments."(40) Additionally, President Obama issued a November 9, 2009, Memorandum to Department Heads as an agency directive to implement EO 13175.(41) As a result of the Obama directive, each federal agency has government-to-government consultation guidelines that are developed by the agency itself. (40) Exec. Order No. 13,175, 65 Fed. Reg. 67,249 (Nov. 6, 2000) (41) Presidential Memorandum on Tribal Consultation. Finally, in January 2021, President Joe Biden issued a memo: "seeking to implement Executive Order 13175,(42) which directed all executive departments and agencies with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of Federal policies that have Tribal implications. The departments and agencies are directed to prepare and update detailed plans of actions to implement the order. Under this memo, each agency has 90 days to submit detailed plans."(43) (42) Issued November 6, 2000 (Consultation and Coordination With Indian Tribal Governments). (43) Nada Culver, ak-blm e-mail (January 27, 2021) referencing: https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/26/memorandum-on-tribal-consultation-and-strengthening-nation-to-nation-relationships/ Partnering with Alaska tribal organizations in developing adequate NEPA analysis for the EIS is also consistent with the Office of Science and Technology, Council on Environmental Quality, Memorandum For The Heads Of Departments And Agencies Elevating Indigenous Knowledge in Federal Decision Making,(44) and the Department of Interior's Guidance to Strengthen Tribal Co-Stewardship of Public Lands and Waters.(45) (44) Office of Science and Technology, Council on Environmental Quality, Memorandum For The Heads Of Departments And Agencies From: Indigenous Traditional Ecological Knowledge and Federal Decision Making (November 15, 2021). (45) September 13, 2022

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Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Climate and Meteorology	Finally, the current administration has an opportunity to reverse the past administration's denial of impending environmental catastrophe, including climate change, by working with arctic tribes who are asserting their sovereignty in order promote human rights and environmental justice. In conducting environmental analysis under the EIS, the administration should consider partnering on existing climate data collection, risk assessments and other projects to address impacts to critical salmon watersheds that are currently being conducted on public lands Alaska Native tribal organizations.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Air Quality	EPA recommends that the EIS evaluate how the proposed project and alternatives could affect air quality and what measures may be needed to mitigate potentially significant impacts. In the EIS, ensure compliance with state and federal air quality regulations; disclose the potential impacts from temporary or cumulative degradation of air quality; and consider whether the reasonably foreseeable impacts of project-related air emissions would result in any adverse impact on air quality or air quality-related values.
Hotch	Jones	Chilkat Indian Village	30	Geology and Minerals	The D1 lands within our traditional territory also encompass some lands currently leased for federal mining claims that established prior to ANCSA, meaning that these federal mining claims are allowed on D1 lands. We are currently in consultation with the US government on how to steward these lands to prevent large-scale mining development. Removing D1 withdrawals would limit our ability to engage with the US government on these issues that directly impact the health of Jilkáat Aani Ka Héeni (Chilkat River Watershed). The map below illustrates the complex land jurisdictions. (Map)
Obed	Sarah	Doyon, Limited	46	Geology and Minerals	Much of the discussion since BLM initiated this process has been focused on mining, and the suggestion that lifting the withdrawals would open these areas to mineral leasing and mining on a grand scale, wreaking havoc on natural and cultural resources. Such suggestions are overblown. As the Section 207 Report recognized, mineral potential for the majority of these lands is limited, with most lands with higher or known potential were either previously opened or selected by the State or ANCs. Moreover, even if the 17(d)(1) withdrawals are lifted, certain lands will be subject to other restrictions under the applicable RMPs that would continue to limit certain activities on those lands. BLM's review must take a hard look at the mineral potential on the lands covered by the proposed action as well as the likelihood of future mineral activity on those lands.
Obed	Sarah	Doyon, Limited	46	Geology and Minerals	BLM's review also must take into account the history of resource development (or lack thereof) and other activity on lands where 17(d)(1) withdrawals already have been lifted. Specifically, the review should assess the fact that some of the 17(d)(1) withdrawals already have been modified, opening millions of acres of land to operation of the mineral leasing laws and the general mining laws, and without leading to substantial, widespread mining activity. See, e.g., Modification of Public Land Order Nos. 5173, 5180, and 5184; Classification and Opening of Lands, 46 Fed. Reg. 61472 (Dec. 14, 1981) (PLO 6098).(2) (2) See https://www.virtualpublicmeeting.com/cy-rmp-eis-question-and-answer ("Have withdrawn lands in Alaska been opened in the past? Yes. Some of the ANSCA 17(d)(1) withdrawals were modified in the early 1980s, opening about 10 million acres to mineral leasing and the general mining laws. In October 2018 withdrawals were partially revoked for approximately 230,000 acres in the Goodnews Bay area. In July 2109 withdrawals were partially revoked for approximately 1.3 million acres of public lands in the Fortymile and Bering Glacier areas. These revocations followed recommendations in BLM resource management plans. . .").Finally, BLM's review must consider the "more stringent requirements for managing development" that it has said "mean[] the original protections from the d-1 withdrawals are no longer critical for the protection of the public's interest." Section 207 Report, p. 6.
Swope	Sophie	Mother Kuskokwim Tribal Coalition	40	Geology and Minerals	The Mother Kuskokwim Tribal Coalition is dedicated to the fight against the proposed Donlin Gold Mine and to ensure the lands in the Yukon Kuskokwim Region are prioritized for fish, wildlife, and the communities that have been here for millennia. The proposed Donlin Gold open pit mine and additional mining exploration and development in the Yukon Kuskokwim Delta poses grave risks to subsistence land and life. The Coalition requests that BLM retain the D-1 protections to safeguard subsistence fish, wildlife, and plant resources, access to those resources, and culturally important lands and resources from destructive extractive development. The lands with D-1 protections in the Yukon-Kuskokwim Delta region have been used by our communities and people for hunting, fishing, harvesting, trade, and living since time immemorial. Losing the protections across D-1 lands put our communities and way of life in jeopardy.
Skibinski	Deantha	Alaska Miners Association	32	Geology and Minerals	If BLM proceeds with a full or Supplemental EIS, one issue that could be addressed is ensuring access to critical minerals, including rare-earth elements (REE). These are essential components in many modern products: from cell phones to clean energy technology. The United States currently lacks sufficient domestic supplies for many of these minerals, which causes elevated economic and national security risk due to potential supply-chain disruptions. This issue has not been adequately addressed in previous discussions of revoking the 17(d)(1) withdrawals. Revoking withdrawals enables additional grass-roots exploration and possible discovery of new sources of these minerals. Many BLM lands subject to these withdrawals have been off limits to staking of mining claims for over 50 years and only in the last decade has awareness of the urgent need to look for such deposits been raised . Any potential supplemental EIS needs to consider the negative impacts that continued closures of these lands will have on the ability to discover critical strategic minerals.
Swope	Sophie	Mother Kuskokwim Tribal Coalition	40	Geology and Minerals	Our people have cared for our ancestral lands for millennia, sustainably using resources from the land while protecting waters and lands to ensure our people have food and can engage in cultural practices. These lands and waters provide our communities with clean drinking water and healthy subsistence foods. The Coalition is concerned that lifting D-1 protections and opening these lands to mining will expose these important resources to contamination from mineral exploration and mining development. Our Tribes, Tribal organizations, and our people have engaged in the public process around the state and federal permitting of the Donlin Gold Mine project. Through those processes we have expressed our grave concern for the health of our lands, waters, and people and potentially significant and irreversible impacts of mining to our subsistence resources. Additional mineral entry and mining development on BLM lands would exacerbate these impacts and compromise our clean drinking water and health of our communities.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Water Resources	We recommend that the EIS characterize baseline surface water and groundwater quality, quantity, and interactions; evaluate the impacts of the alternatives on these hydrologic components; and describe mitigation for adverse impacts. We recommend the EIS describe aquatic habitats in the affected environment by resource type, including baseline condition information for aquatic resources.

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Halloran	Maddie	Alaska Wilderness League	52	Biological Resources	Over 50 years ago, the BLM set aside 57 million acres of land to "protect the public interest" as D-1 withdrawals. We believe it is in the public's best interest to retain these withdrawals, as these lands are critical to vast populations of fish and wildlife, not to mention the communities that rely on those resources to survive. This historic public comment period must evaluate all possible harm to fish, wildlife, and communities should these lands suddenly face industrial development. We hope you will use this EIS process as an opportunity to consider how your agency's decisions could affect these unique lands in myriad ways, including ecosystem functionality, critical fish and wildlife habitat, large landscape connectivity, and cultural and subsistence resources, beyond the boundaries and scope of the state BLM resource management plans.
Halloran	Maddie	Alaska Wilderness League	52	Biological Resources	Large intact landscapes are critical to the health of fish and wildlife across Alaska, and in turn, the people who traditionally rely on each to survive. The Biden administration must retain D-1 protections on these crucial public lands for the sake of communities, wildlife and our climate.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	45	Biological Resources	Alaska's D-1 lands contain important fish and wildlife habitat, offer outstanding recreational hunting and angling opportunities, and provide subsistence resources for rural communities. Spanning five BLM planning regions-Bristol Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward, and Ring of Fire-these 28 million acres of public land contain healthy, productive habitat for species such as caribou, moose, Dall sheep, a variety of migratory birds, and salmon. For decades, these lands have been closed to industrial resource extraction to protect the public interest. Opening large tracts of critical habitat to industrial development would have serious negative consequences to Alaska's public fish and wildlife resources. Migratory species like caribou are an important subsistence food source-require large tracts of intact, connected habitat and would be particularly vulnerable to losing the conservation safeguards offered through the existing D-1 designation. Through this EIS, the BLM has a unique opportunity to bolster our fish and wildlife populations-and the people who depend on them for food security, backcountry recreation, and rural economic development-by using conservation tools that already exist.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	53	Biological Resources	I applaud the BLM for identifying legal defects in the decision-making process that would lift the existing D-1 safeguards from these 28 million acres of public land. As the BLM moves forward with the process, it should conduct robust analyses of the potential impacts of opening these lands to industrial development on fish and wildlife habitat, recreational and subsistence hunting and fishing, backcountry recreation, tourism, and climate resilience. These impacts were not adequately addressed in previous planning processes. Until a more appropriate land management prescription is available to adequately safeguard Alaska's important fish and wildlife habitat on these 28 million acres of public land, I urge the BLM to keep the existing D-1 safeguards in place.
K	George	N/A	47	Biological Resources	Road building would fragment already threatened populations of native animals and plants, making it more difficult for them to continue to survive in an already rapidly changing arctic. Any extraction of "resources" would diminish the ability of people living in and around the lands affected to continue to live and eat by the generosity of these places. While the United States is to some degree bound by out-of-date and dangerous mining laws, companies, many international promise to mitigate damage, overhaul practices, and clean up messes, leaving the area better than before. Time and again this has not come to pass and it becomes a kind of theater to go through the whole rigamarole of these promises, counterarguments, and eventual abandonment of polluted land. Brief booms alter the living economies of places still bound sensibly to subsistence resources, and the crash sends the people elsewhere to cities where they need to participate in the continuous development and desecration of other peoples' homes merely to eat and live. Any mining would be such a short term gain and should be evaluated for environmental impact both "on-the-ground" and for a foreseeable future for the people of the places affected.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	45	Biological Resources	Until a more appropriate land management prescription is available to adequately safeguard Alaska's important fish and wildlife habitat on these 28 million acres of public land, we respectfully urge the BLM to keep the existing D-1 safeguards in place.
Leahy	Jen	Theodore Roosevelt Conservation Partnership	53	Biological Resources	I strongly support maintaining existing conservation safeguards on the 28 million acres of BLM-managed public lands in Alaska that are currently under review. Alaska's D-1 lands contain important fish and wildlife habitat, offer outstanding recreational hunting and angling opportunities, and provide subsistence resources for rural communities. Spanning five BLM planning regions-Bristol Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward, and Ring of Fire-these 28 million acres of public land contain healthy, productive habitat for fish and game like caribou, moose, Dall sheep, migratory birds, and salmon. For decades, these lands have been closed to industrial resource extraction to protect the public interest. Opening large tracts of critical habitat to industrial development would have serious negative consequences to Alaska's public fish and wildlife resources. The BLM has a unique opportunity to bolster our fish and wildlife populations-and the people who depend on them for food security, backcountry recreation, and rural economic development-by using conservation tools that already exist.
VerHoef	Mary	TRCP Supporter	78	Biological Resources	My father was on the State-Federal Land Use Planning Commission in the 1970s that help designate these D-1 lands. The Commission underwent very thorough and well balanced evaluation in the process. As a 50+ year Alaskan resident myself, we have used many of these lands for caribou hunting to provide food for our family. We have also used some areas for recreation as well. I understand that there are pressures and needs for mineral mining in Alaska, but there are other lands with good mineral potential that are NOT D-1 prime wildlife and fish habitat.
Fraley	Kevin	N/A	57	Fish and Aquatic Species	As a trained ecologist and an avid Alaskan fisherman and hunter, I am concerned about current protections being removed from "D-1" lands. If protections were removed and development was allowed to occur, I believe fish and wildlife populations will suffer and hunting and fishing opportunities will be degraded. In particular, I am concerned about land withdrawals in three areas that are important to me and many other hunters and anglers. These include the Kobuk River area, the Gulkana River drainage, and the Denali Highway.

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Fraley	Kevin	N/A	57	Fish and Aquatic Species	I have floated and fished the Kobuk Wild and Scenic River, and am concerned that industrial development in this drainage (i.e., road construction, mining) would threaten what is widely considered the world's best sheefish (inconnu) fishery through dust, contamination, and potential chemical spills. Development in this area would occur within the Kobuk River drainage upstream of the sheefish spawning area near the Pah River confluence. Contaminants in fugitive dust from road construction and trucking, placer mining, or hard rock mining could be released into ground and surface waters, be transported to spawning areas, and bioaccumulate in fish like sheefish which are important subsistence and sport harvest species. This would result in risk to the health of subsistence and sport fishers. Also, the possibility of a large-scale chemical spill occurring where a road or mining site intersects a waterway and chemicals migrating downstream to potentially harm sheefish, commercially important chum salmon, and Arctic grayling populations is unconscionable. Similarly, for the D-1 lands surrounding the Gulkana River drainage, I am concerned that inevitable contamination, siltation, and oil spills into waterways here resulting from resource extraction could harm world-class grayling, rainbow trout, salmon, and lake trout sport, personal use (dipnet), and commercial fisheries, and degrade the Gulkana Wild and Scenic River. I visit Paxson Lake annually to catch and eat lake trout, and have floated the Gulkana River, so this area is particularly important to me.
Bristol	Tim	SalmonState	39	Fish and Aquatic Species	This environmental review provides an opportunity for BLM to address the D-1 question beyond the RMP planning area boundaries and take a hard look at how fish and wildlife populations utilize these large landscapes. We encourage BLM to consider how lifting the D-1 protections could fragment habitat, effect migratory corridors for large mammals and bird populations, impact important salmon systems and jeopardize water quality. BLM should also evaluate how these potential impacts could further exacerbate the effects of climate change and jeopardize the resiliency of these natural systems to support vital subsistence resources.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Fish and Aquatic Species	EPA recommends that the EIS evaluate impacts to fish and wildlife from the proposed project and alternatives, giving special consideration to listed and proposed species under the Endangered Species Act.
Fitka	Charlie	N/A	23	Terrestrial Mammals	Would you know, we have reindeer and we have grazing for reindeer up there. Would it still be open if you found gold, or Silver or whatever is up there?
Fraley	Kevin	N/A	57	Terrestrial Mammals	Finally, the wildlife around the Denali Highway would also suffer if protections were removed from D-1 lands surrounding it. In particular, caribou, which are harvested along the Denali highway by Alaskans from around the state, would be negatively affected by any new roads, structures, or industrial activities in the region. Studies focusing on the Red Dog road and Dalton Highway have shown that roads and structures delay or disrupt caribou migrations, and fugitive dust from trucking can contaminate the tundra (caribou's food) for miles around any road or operations site. Hunters trying to harvest these stressed-out caribou would also struggle to navigate new property or mining claim boundaries that would curtail their opportunities.
Fraley	Kevin	N/A	57	Terrestrial Mammals	I urge you to retain the current protections for these "D-1" lands, particularly the three river drainages/areas that I have focused on. We are entering a period in Alaska's history where salmon, caribou, and Dall sheep are largely entering a decline. We need to take every measure to conserve these animals and their habitat, to allow sport, subsistence, and personal use recreation and harvest opportunities for generations of Alaskans and Americans to come. We must not irreparably harm our incredible natural resources by allowing short-sighted, short-term, foreign-led, industrial projects to degrade our public lands and waters.
Nizzoli	Curt	TRCP Supporter	74	Terrestrial Mammals	Please keep in mind what has happened to the Leaf River and George River caribou herds in Quebec! These two herds once numbered in the hundreds of thousands each. Now they are both well under 100,000. D-1 safeguards prevent this devastation from happening in Alaska!
Jensen	Meg (Margaret)	N/A	29	Landownership and Use	In our area, many people are concerned about lack of access to public lands, as well as restrictions on private land which block/prohibit free access to public lands. Any analysis which is done in our area must address improved access to public lands and waters, which is sorely needed.
Obed	Sarah	Doyon, Limited	46	Landownership and Use	BLM's decisions with regard to the PLOs and whether or not to recommend lifting the 17(d)(1) withdrawals have significant potential impacts on the completion of conveyances to the State of Alaska under the Alaska Statehood Act and ANCs under ANCSA, which must be meaningfully addressed in the EIS.
Schuerch	Tim	Calista Corporation	18	Landownership and Use	Calista is concerned that we have not yet received all of a significant part of our land entitlements according to our records. We still have an unconveyed entitlement of about 330,000 acres of land. It's been fifty years since ANCSA, and so we similarly encourage BLM to expedite that process.
Easterberg	Gretchen	TRCP Supporter	63	Landownership and Use	In addition, more land must be donated into conservation land trusts.
Jensen	Meg (Margaret)	N/A	29	Landownership and Use	As a final comment, people here are very frustrated with lack of access to public lands and waters. As an example, there is no public access to the Copper River between Gulkana river at Gulkana, and Tazlina Wayside, a distance of approx 30 miles. For those of us who use unmotorized watercraft, we cannot pull out of the Copper River at Chitina, a distance of approx. 60 miles. We can do better to provide public access in this state.
Karro	Loren	N/A	55	Landownership and Use	I am concerned that this EIS and any consideration of releasing the withdrawn lands is premature at this time. I have understood that not all of the conveyances of these lands, even where selected, have yet to be made. I personally know of at least one selected area whose conveyance has not been finalized and in fact the lands still have to be properly surveyed. What will be the effect of the proposed actions if the lands are still not conveyed but have been selected? In addition, under the Dingall Act Vietnam veterans have until the end of 2025 to apply for personal allotments of up to 160 acres of federal lands. How will the proposed actions affect these selections and future conveyances? Shouldn't those people who have legal claims to the lands be allowed to be part of the EIS process? Many of the lands haven't even been selected yet, so the people have no way of knowing what land status changes for which lands might affect them. I believe that this action should be postponed until all selected conveyances have been properly conveyed, and until all of the Dingall Act selections have been made, the lands surveyed, and those conveyances finalized, which would surely be much later than the Dec. 29, 2025 selection deadline.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Moselle	Kyle	State of Alaska	41	Landownership and Use	Maintaining these PLOs frustrates the State's ability to receive its remaining land entitlement. Maintaining outdated d-1 withdrawals restricts the State's ability to accurately prioritize its requests for transfer of statehood entitlement lands based on sound science and the potential for future economic development of the associated natural resources. These withdrawals prevent some of the State's high priority top-filings from automatically attaching to selected lands in the region and prohibit the State from making final entitlement decisions consistent with the Statehood Act. Further analysis of these PLOs is not needed, nor lawful; instead, PLO 7899, along with the four unpublished PLOs (7900, 7901, 7902, and 7903) should be promulgated to facilitate the State taking title to high priority lands selected under its Statehood Entitlement. The ANCSA-era withdrawals that PLOs 7899 through 7903 would modify or revoke are outdated and are no longer needed for BLM to manage the affected lands, per the agency's own findings and management plans.
Not Provided	Not Provided	N/A	44	Landownership and Use	Calista is committed to fulfilling the promise of ANCSA that "the settlement should be accomplished rapidly, with certainty, in conformity with the real economic and social needs of Natives." At the most basic level, this includes receiving the land entitlements that we were promised in ANCSA 50 years ago. Our Elders carefully and thoughtfully selected particular areas of land many decades ago to maximize benefits to our Shareholders. Yet to this day, hundreds of square miles have not yet been conveyed.
Obed	Sarah	Doyon, Limited	46	Landownership and Use	It has been 50 years since the settlement of aboriginal land claims established ANCs' entitlement to 44 million acres of lands in Alaska. Yet millions of acres have yet to be conveyed to these Alaska Native groups. And, it has been more than 60 years since the State of Alaska was admitted to the Union. Yet approximately 5 million acres of the State of Alaska's entitlement under the Alaska Statehood Act remains outstanding. Alaskans, and Alaska Natives in particular, have waited long enough to receive the lands to which they are entitled under federal law.
Obed	Sarah	Doyon, Limited	46	Landownership and Use	A recommendation by BLM to revoke these outdated 17(d)(1) withdrawals, if acted upon by the Secretary of the Interior, will allow land selections top-filed by the State under Section 906(e) of ANILCA to become valid selections under the Alaska Statehood Act, thereby making those selected lands available for conveyance to the State in fulfillment of its land entitlement under that Act. Currently, these outdated withdrawals impede fulfillment of the State's land entitlement by preventing some of the State's high priority top-filed selections from attaching. Because this impediment to completion of the State's conveyances prevents clearance of certain overlapping State / ANC selections, these withdrawals in turn prevent completion of conveyances to ANCs in fulfillment of their entitlements under ANCSA. Thus, progress towards completion of the State's conveyances would facilitate completion of the conveyancing of Doyon's and other ANCs' remaining ANCSA entitlements-aiding ANCs in finally settling their land claims after almost 50 years. After it pulled back the PLOs, BLM recognized the impact of its decision on Alaska Native Vietnam era Veterans, and acted to increase land available for selection by Alaskan Native Vietnam era Veterans under the Dingell Act. In this process, BLM must similarly recognize the impact of its decision on the State and ANCs, and act in a manner that advances the fulfillment of the State's statehood land entitlement and ANCs' ANCSA land entitlement.
Newman	Matt	United Tribes of Bristol Bay	37	Cultural Resources	The Bureau must take a "hard look" at potential impacts of lifting d-1 withdrawals to cultural resources.(19) Lifting d-1 withdrawals places cultural resources within those lands at jeopardy. Thus, comprehensive identification of cultural resources within lands subject to d-1 withdrawals and analysis of potential impacts is essential to ensuring existing protections for cultural resources remain in place. Given the fundamental flaws in the Bureau's analysis of potential impacts to cultural resources during the land use planning process, that analysis should not be relied on during this process. (19) See <i>W. Watersheds Project v. Kraayenbrink</i> , 632 F.3d 472, 486 (9th Cir. 2011).
Newman	Matt	United Tribes of Bristol Bay	37	Cultural Resources	During this environmental impact statement process, the Bureau must obtain the information needed to identify specific cultural resources within lands subject to d-1 withdrawals and fully analyze the potential impacts from lifting withdrawals. The Bureau's analysis must meaningfully incorporate Tribes' knowledge and expertise and substantively respond to Tribes' comments and concerns.(25) The Bureau cannot rely solely on archaeological surveys and research to identify and analyze impacts to cultural resources. UTBB strongly encourages the Bureau to avoid relying solely on information in the Alaska Heritage Resource Survey (AHRS). In past analysis, the Bureau's reliance on AHRS data has resulted in a focus on discrete sites and a failure to consider intangible and landscape-level cultural resources. (25) See e.g., Bureau of Land Management, Instruction Memo. No. 2022-011, Co-Stewardship with Federally Recognized Indian and Alaska Native Tribes Pursuant to Secretary's Order 3403 (Sept. 13, 2022) (stating that the Bureau "will evaluate and incorporate Indigenous Knowledge in its analysis and decision-making").
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Cultural Resources	The Bureau must take a "hard look" at potential impacts of lifting d-1 withdrawals to cultural resources.(19) Lifting d-1 withdrawals places cultural resources within those lands at jeopardy. Thus, comprehensive identification of cultural resources within lands subject to d-1 withdrawals and analysis of potential impacts is essential to ensuring existing protections for cultural resources remain in place. Given the fundamental flaws in the Bureau's analysis of potential impacts to cultural resources during the land use planning process, that analysis should not be relied on during this process. (19) See <i>W. Watersheds Project v. Kraayenbrink</i> , 632 F.3d 472, 486 (9th Cir. 2011). In the Bering Sea-Western Interior Proposed Resource Management Plan, the Bureau recognized that "[traditional cultural properties], cultural landscapes, and sites of religious or sacred significance are likely to occur across the planning area," but none have been surveyed.(20) Rather than obtain the information needed to analyze impacts to these resources, the Bureau "assumed that there is potential for cultural resources to exist across the entire planning area" and the agency's "analysis does not consider impacts on specific cultural resources and does not attempt to quantify these resources in particular geographic areas."(21) The Bureau's cursory evaluation failed to satisfy its obligation to take a hard look at impacts to cultural resources, including the potential impacts of lifting d-1 withdrawals. (20) Bering Sea-Western Interior Proposed Plan vol. 1 at 3-72. (21) Id.

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Condon	Megan	Bering Sea-Interior Tribal Commission	34	Cultural Resources	During this environmental impact statement process, the Bureau must obtain the information needed to identify specific cultural resources within lands subject to d-1 withdrawals and fully analyze the potential impacts from lifting withdrawals. The Bureau's analysis must meaningfully incorporate Tribes' knowledge and expertise and substantively respond to Tribes' comments and concerns.(22) The Bureau cannot rely solely on archaeological surveys and research to identify and analyze impacts to cultural resources. The Tribal Commission strongly encourages the Bureau to avoid relying solely on information in the Alaska Heritage Resource Survey (AHRS). In past analysis, the Bureau's reliance on AHRS data has resulted in a focus on discrete sites and a failure to consider intangible and landscape-level cultural resources. (22) See e.g., Bureau of Land Management, Instruction Memo. No. 2022-011, Co-Stewardship with Federally Recognized Indian and Alaska Native Tribes Pursuant to Secretary's Order 3403 (Sept. 13, 2022) (stating that the Bureau "will evaluate and incorporate Indigenous Knowledge in its analysis and decision-making").
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Cultural Resources	Additionally, the Bureau must complete the National Historic Preservation Act (NHPA) Section 106 process. The Bureau did not undertake the Section 106 process during its land use planning process and the Department of Interior has since identified the failure to follow Section 106 as one of the legal defects in the decision-making process for public land orders lifting d-1 withdrawals.(23) The purpose of the Section 106 process is "to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties."(24) The NHPA defines "historic property" as "any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register"(25) and includes, "[p]roperty of traditional religious and cultural importance to an Indian tribe."(26) A determination of whether a historic property is of religious or cultural importance to a Tribe should be made by a representative designated by the Tribe.(27) (23) 87 Fed. Reg. at 50,875. (24) 36 C.F.R. § 800.6(a). (25) 54 U.S.C. § 300308. (26) Id. § 302706(a); 36 C.F.R. § 800.16(l)(1). (27) Advisory Council on Historic Preservation, Native American Traditional Cultural Landscapes and the Section 106 Review Process: Questions and Answers 2 (July 11, 2012), https://www.achp.gov/sites/default/files/guidance/2018-06/NativeAmericanTCLsintheSection106ReviewProcessQandAs.pdf (explaining that "it should not be assumed that the archaeologist possesses the appropriate expertise to determine what properties are or are not of religious and cultural significance to an Indian tribe" and "appropriate individual to make such a determination is the representative designated by the tribe").
Hotch	Jones	Chilkat Indian Village	30	Cultural Resources	D1 lands within our region also encompass important sacred sites and cultural use areas. Trade routes and trails used by our Peoples cross many of these D1 lands. These trade routes are not only important for our past, but are also critical to our future, and we consider these trade routes and trails and the knowledge held within them as important to the future of our Peoples. All of the D1 lands within the Ring of Fire Haines Amendment RMP are within these historical trade routes, and BLM is only now starting to learn from us about the importance of these routes. No prior planning efforts by BLM accurately reflect our traditional knowledge and history of this region. We look forward to the opportunity to engage with the agency during this EIS process so we can share this information in the future for better land management decision-making. We hope that this traditional knowledge can be an important piece of a co-stewardship agreement with the US government.
Newman	Matt	United Tribes of Bristol Bay	37	Cultural Resources	Additionally, the Bureau must complete the National Historic Preservation Act (NHPA) Section 106 process. The Bureau did not undertake the Section 106 process during its land use planning process and the Department of Interior has since identified the failure to follow Section 106 as one of the legal defects in the decision-making process for public land orders lifting d-1 withdrawals.(26) The purpose of the Section 106 process is "to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties."(27) The NHPA defines "historic property" as "any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register"(28) and includes, "[p]roperty of traditional religious and cultural importance to an Indian tribe."(29) A determination of whether a historic property is of religious or cultural importance to a Tribe should be made by a representative designated by the Tribe.(30) (26) 87 Fed. Reg. at 50,875. (27) 36 C.F.R. § 800.6(a). (28) 54 U.S.C. § 300308. (29) Id. § 302706(a); 36 C.F.R. § 800.16(l)(1). (30) Advisory Council on Historic Preservation, Native American Traditional Cultural Landscapes and the Section 106 Review Process: Questions and Answers 2 (July 11, 2012), https://www.achp.gov/sites/default/files/guidance/2018-06/NativeAmericanTCLsintheSection106ReviewProcessQandAs.pdf (explaining that "it should not be assumed that the archaeologist possesses the appropriate expertise to determine what properties are or are not of religious and cultural significance to an Indian tribe" and "appropriate individual to make such a determination is the representative designated by the tribe").
Brown	Loretta	Salmon State	24	Subsistence Uses and Resources	I'm commenting to encourage the BLM to retain the D-1 withdrawals throughout the 28 million acres, in which the EIS will cover. These lands are vital to fish and wildlife habitat and especially in anadromous waters throughout all of these lands , the lands and the, and what fish and wildlife and plants within these lands are also vitally important to local communities and Alaska Natives for subsistence resources, and we would like to encourage BLM to take a really close look at the potential impacts of opening these lands for extractive development. On the subsistence resources, and on fish and wildlife and fish and wildlife habitat
Chapa	Gisela	Orutsarmiut Native Council	51	Subsistence Uses and Resources	ONC, on behalf of our Tribal citizens, requests that BLM retain the D-1 protections to safeguard subsistence fish, wildlife, and plant resources, access to those resources, and culturally important lands and resources from destructive extractive development. The lands with D-1 protections in the Yukon-Kuskokwim Delta region have been used by our Tribal citizenry and ANCSA Corporation Stakeholders for hunting, fishing, harvesting, trade, and living since time immemorial. Losing the protections across D-1 lands put our communities and our residents' lives in jeopardy. All the respective shareholders of these ANCSA regional and ANCSA village corporations should be given a voice and a choice to vote whether they are in favor or whether they want to reject the retention of the D-1 lands status before it is changed or retained. In all fairness, most ANCSA corporations have shareholders that are also tribal members of a federally recognized tribe, which are invariably linked. Both ANCSA corporation shareholders and members of these federally recognized tribes must have a voice at this table and decision.

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Chapa	Gisela	Orutsarmiut Native Council	51	Subsistence Uses and Resources	The fish and wildlife habitat and migration corridors within lands managed by BLM are important to our citizens for our subsistence and culture. The lands managed by BLM, including those lands with D-1 protections, within the Yukon-Kuskokwim Delta have been important to our Tribe and community for healthy and sustainable populations of fish, wildlife resources, and plant species. Tribal members, non-tribal members, citizens of Bethel, ANCSA Corporation Shareholders, and many people living within the service area of ONC experience poverty and depend on these resources; they are vital for subsistence and culture. The loss or adverse impacts to fish and wildlife habitat and subsistence resources would compromise our lives and food security. Our fishing and hunting practices and ceremonies are essential to the social, cultural, spiritual, and economic well-being and survival of our people and traditions. Our Tribe has participated in BLM land use planning processes, nominating watersheds and landscapes for protection as these protections honor the stewardship values passed on to our people from one generation to another. We reiterate here the importance of the Yukon-Kuskokwim Delta lands and resources and urge BLM to consider the real and probable adverse impact that lifting D-1 protections will have on our people.
Chapa	Gisela	Orutsarmiut Native Council	51	Subsistence Uses and Resources	Lifting D-1 protections would fragment important habitat, jeopardize access to subsistence resources and could turn the Yukon-Kuskokwim region into a mining district. ONC has been an active advocate against projects with potential negative environmental impacts to our ecosystem, as is the case with the proposed Donlin Gold mine project. Our people have cared for our ancestral lands for millennia, sustainably using resources from the land while protecting waters and lands to ensure our people have food and can engage in cultural practices. These lands and waters provide our community with clean drinking water and healthy subsistence foods. Our Tribe will always be an active steward in our Region. For that same reason, ONC is concerned that lifting D-1 protections and opening these lands to mining will expose these important resources to contamination from mineral exploration and mining development. Our Tribes, Tribal organizations, ANCSA corporation shareholders, and our people have engaged in the public process around the state and federal permitting of the Donlin Gold Mine project. Through those processes we have expressed our grave concerns for the health of our people through adverse effects from diminished air quality, contaminated waters, devastated lands, and the significant and irreversible impacts of mining to our subsistence resources. Additional mineral entry and mining development on BLM lands would exacerbate these impacts and compromise our clean drinking water and health of our communities.
Condon	Megan	Bering Sea-Interior Tribal Commission	34	Subsistence Uses and Resources	Lands subject to d-1 withdrawals in the Bering Sea-Western Interior planning area contain important subsistence resources and use areas. Lifting d-1 withdrawals could fragment habitat and decrease access to subsistence resources. In recent years, an unprecedented salmon collapse on the Yukon and Kuskokwim River has demonstrated the importance of intact ecosystems and the need for protective measures to provide subsistence opportunities.(31) (31) See e.g., Anna Rose MacArthur, Fishery disasters declared for Kuskokwim and Yukon salmon fisheries, KYUK, (Jan. 21, 2022), https://www.kyuk.org/hunting-fishing/2022-01-21/fishery-disaster-declarations-for-kuskokwim-and-yukon-salmon-fisheries ; Zachariah Hughes, 'We've never seen this before': Salmon collapse sends Alaskans on Lower Yukon scrambling for scarce alternatives, ANCHORAGE DAILY NEWS, (Sept. 4, 2021), https://www.adn.com/alaska-news/rural-alaska/2021/09/04/weve-never-seen-this-before-salmon-collapse-sends-alaskans-on-lower-yukon-scrambling-for-scarce-alternatives/ . The Department of the Interior has identified the "failure to adequately analyze potential impacts on subsistence hunting and fishing" as one of the legal defects in the decision-making process for public land orders lifting d-1 withdrawals.(32) During the planning process for the Bering Sea-Western Interior planning area, the Bureau recognized the importance of subsistence resources to planning area Tribes, yet the agency failed to obtain the missing information needed to evaluate potential impacts to subsistence resources.(33) Tribes identified important subsistence resources and use areas in their nominations for areas of critical environmental concern, which sought protections for these resources. Tribes' nominations also outlined threats to subsistence resources and uses from climate change and extractive development. Information Tribes provide to the Bureau-including the information submitted in Tribes' past nominations-should be considered and incorporated in the Bureau's analysis. Moving forward in this process, the Bureau must meaningfully engage with Tribes to holistically consider subsistence impacts and ensure d-1 withdrawals remain in place to support subsistence resources and access to those resources. (32) 87 Fed. Reg at 50,875. (33) Bering Sea-Western Interior Proposed Plan at 3-202 ("Subsistence in Alaska is the traditional way of life for many residents of the state and is central to the customs and traditions of many Alaska Native people."); id. at 3-203 ("Rural residents harvest fish, wildlife, and vegetation resources as a major part of their diet."); id. at 3-203 ("Limited data are available for specific places or areas essential to and for subsistence. Available data are mainly from technical reports by ADF&G Division of Subsistence and a land use study for the BSWI area conducted by the University of Alaska-Fairbanks . . . only a small fraction of the traditional knowledge regarding subsistence activities in this area has been formally documented and is currently available.").
Hotch	Jones	Chilkat Indian Village	30	Subsistence Uses and Resources	Subsistence and traditional practices require large, intact landscapes. Salmon, mountain goats, grizzly bear, black bear, bald eagles, geese, and many other species we depend on also need intact lands and waters to survive. The D1 lands within our region represent important corridors for these animals and plants that we rely on for our health and well-being. Removing D1 withdrawals within the Ring of Fire Haines Amendment region would further fragment an already fragmented landscape and threaten success of some wildlife species. Already, we are seeing declines of mountain goats within our valley and the Chinook (King) salmon fishery has been closed in the Chilkat and Chilkoot Rivers for several years due to low returns. Fragmenting these lands would also present challenges to subsistence and traditional gathering, fishing and hunting opportunities because if these lands are conveyed to the state of Alaska, ANILCA subsistence priority will no longer be available on these lands. We request that not only does BLM maintain D1 withdrawals, but they manage these lands in accordance with ANILCA Section 8 guidelines which also require special consultation on any future action on these lands.
Karro	Loren	N/A	55	Subsistence Uses and Resources	In analyzing the proposed land actions, of equal importance is the effect the actions might have on subsistence uses and activities. Separate, detailed studies of each section of land should be made as to the current subsistence uses on and around the target lands, including historical data, current access and harvest activities, existing shortfalls of subsistence resources (berries and edible plants, fish, birds, mammals etc) and the reasons for this.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Karro	Loren	N/A	55	Subsistence Uses and Resources	The EIS should include an analysis of the effects of the current levels of warming have had on each section of targeted lands in relation to subsistence resources there on, so that a reasonable consideration of what future climate changes might do to future resource harvests. If opened to mineral and gas extraction, increased methane and CO2 release would be an inevitable consequence, not just from the wells and mines themselves but from the construction and infrastructure use needed for development. Additionally, mineral resource development would mean increased human activity and 'man camps', which themselves contribute to release of CO2 and methane as well as increased stress on the local birds, caribou, moose etc, which can cause changes to migrations routes, calving/nesting areas and local population numbers. All of these activities directly effect, in a negative way, subsistence uses of the target lands and adjoining lands. The National Strategy for the Arctic Region lists a further Objective: "Strategic Objective 3.2: Improve Access to Services and Protect Subsistence Lifestyles and Cultural Traditions"
Newman	Matt	United Tribes of Bristol Bay	37	Subsistence Uses and Resources	Lands subject to d-1 withdrawals in the Bay planning area contain important subsistence resources and use areas. Lifting d-1 withdrawals could fragment habitat and decrease access to subsistence resources. In recent years, record-breaking sockeye salmon runs in Bristol Bay have demonstrated the need for intact ecosystems to support the continued vitality of the subsistence and commercial fisheries.(34) The Department of Interior has identified the "failure to adequately analyze potential impacts on subsistence hunting and fishing" as one of the legal defects in the decision-making process leading to the public land orders lifting d-1 withdrawals.(35) In the Bay Proposed Resource Management, the Bureau generally discussed the types of impacts to subsistence resources and uses that could result from lifting d-1 withdrawals.(36) However, the agency did not undertake any detailed or site-specific analysis related to the subsistence resources and uses within lands subject to d-1 withdrawals or the need to retain withdrawals to protect the public interest in these resources and uses. Moving forward in this process, the Bureau must meaningfully engage with Tribes to holistically consider subsistence impacts and ensure d-1 withdrawals remain in place to support subsistence resources and access to those resources. (34) See e.g., Alaska Department of Fish and Game, 2022 Bristol Bay Salmon Season Summary (Sept. 23, 2022), https://www.adfg.alaska.gov/static/applications/dcfnewsrelease/1438246231.pdf ; Isabelle Ross, Bristol Bay's sockeye run of 69.7 million fish is the biggest on record, KDLG, (July 15, 2022), https://www.kdlg.org/fisheries/2022-07-15/bristol-bays-sockeye-run-of-69-7-million-fish-is-the-biggest-on-record . (35) 87 Fed. Reg at 50,875. (36) Bay Proposed Resource Management Plan at 4-117 to 4-121, 4-144.
Not Provided	Not Provided	N/A	31	Subsistence Uses and Resources	Please keep these withdrawals in place. They benefit the environment, wildlife, fisheries, and various subsistence and recreational uses. Environmental protection is increasingly important. Our biosphere is in trouble and needs our help.
Not Provided	Not Provided	Hunter-Angler Master Form Letter	79	Subsistence Uses and Resources	I strongly support maintaining existing conservation safeguards on the 28 million acres of BLM-managed public lands in Alaska that are currently under review. Alaska's D-1 lands contain important fish and wildlife habitat, offer outstanding recreational hunting and angling opportunities, and provide subsistence resources for rural communities. Spanning five BLM planning regions- Bristol Bay, Bering Sea-Western Interior, East Alaska, Kobuk-Seward, and Ring of Fire-these 28 million acres of public land contain healthy, productive habitat for fish and game like caribou, moose, Dall sheep, migratory birds, and salmon. For decades, these lands have been closed to industrial resource extraction to protect the public interest. Opening large tracts of critical habitat to industrial development would have serious negative consequences to Alaska's public fish and wildlife resources. The BLM has a unique opportunity to bolster our fish and wildlife populations- and the people who depend on them for food security, backcountry recreation, and rural economic development-by using conservation tools that already exist.
O'Reilly-Doyle	Kathleen	N/A	50	Subsistence Uses and Resources	The EIS should provide a comprehensive analysis of current subsistence uses and needs on these lands and lands adjacent to them. Resources and analysis from the Federal Subsistence Program, could be utilized to see where changes and increasing pressures and availability of subsistence resources have led to changes in the Federal Subsistence Regulations in and adjacent to these 17(d)1 Withdrawals in the past. Discussion in the EIS should include: A. Data on harvests, past, present and estimates on future harvests; B. Addressing increasing rural resident populations and harvesting methods and how it would effect the ability to meet current and future subsistence needs; C. Analysis of how subsistence use and harvest may be altered if these lands are transferred out of federal management; D. Analysis of how subsistence areas, available subsistence resources and harvesting have been effected by current and projected climate change; E. How oil, gas and mineral exploration and development in and adjacent to these areas has and could effect subsistence harvest; F. How current and future subsistence needs, resources, harvests and regulations would be effected by transferring these lands out of federal management; G. Projected economic costs to rural federal subsistence users, if these lands are transferred out of federal management; H. Address how customary and traditional subsistence uses might be effected by this action; I. How access to subsistence harvest areas might be effected by this action and subsequent development of these lands if they are transferred out of federal management.
Richard	Robin	N/A	11	Subsistence Uses and Resources	These lands are critical to indigenous communities and so many different species of fish and wildlife across the state. The indigenous inhabitants of this land rely on the sea for fish, caribou, medicines, and spiritual practices. Opening up these lands for mineral extraction threatens the health of these lands and the availability of resources far more valuable to those who live here than the minerals under the surface. The true wealth of this area is in keeping it free from extractive industries which we all know are not entirely safe and when the safety measures fail, the resultant damage is catastrophic for the long term. Many times, the ecosystems never fully recover from such damage. The best and wisest use of these lands is to leave them under their current status – leaving the d-1 withdrawals in place. Thank you for consideration of these comments.
Shepherd	Hal	Norton Bay Inter-Tribal Watershed Council/Alaska Audubon	36	Subsistence Uses and Resources	The BLM should conduct the following Environmental Analysis and consider the following relevant information in drafting the EIS: a. How subsistence resources utilize and depend on large, intact landscapes (i.e., caribou range, moose habitat, bird migratory corridors, salmon spawning and rearing habitat, etc.); b. How fragmenting landscapes and watersheds by lifting protections will harm fish and wildlife habitat and subsistence opportunities; c. How BLM D-1 lands support communities, protect cultural resources, and support a variety of subsistence opportunities; d. How protections on D-1 lands are important to help buffer communities and critical resources against the effects of climate change

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Skibinski	Deantha	Alaska Miners Association	32	Subsistence Uses and Resources	BLM asserts failure to adequately analyze potential impacts on subsistence hunting and fishing, and reliance on "potentially" outdated data in the EISs prepared in 2006 and 2007. The five existing RMPs/EISs included extensive analysis of impacts to subsistence hunting and fishing, including that required under Section 810 of the Alaska National Interest Lands Conservation Act (ANILCA). Additional analysis is unnecessary for the Bering Sea-Western Interior RMP as that RMP was completed in 2021. For the 4 older RMPs, BLM could update information with a supplemental EIS that includes newer data. This particular "failure" of "outdated data" as claimed by the BLM, highlights a glaring failure in their land use planning process. When each RMP/EIS process takes 5-10 years to complete, all data used at the start of the process is by definition, no longer up-to-date on completion.
Slats	R.B.	Tribes and Tribal organizations of the Yukon-Kuskokwim Delta	59	Subsistence Uses and Resources	Our people have cared for our ancestral lands for millennia, sustainably using resources from the land while protecting waters and lands to ensure our people have food and can engage in cultural practices. These lands and waters provide our communities with clean drinking water and healthy subsistence foods. The undersigned Tribes and Tribal organizations are concerned that lifting D-1 protections and opening these lands to mining will expose these important resources to contamination from mineral exploration and mining development. Our Tribes, Tribal organizations, and our people have engaged in the public process around the state and federal permitting of the Donlin Gold Mine project. Through those processes we have expressed our grave concern for the health of our lands, waters, and people and potentially significant and irreversible impacts of mining to our subsistence resources. Additional mineral entry and mining development on BLM lands would exacerbate these impacts and compromise our clean drinking water and health of our communities.
Swope	Sophie	Mother Kuskokwim Tribal Coalition	40	Subsistence Uses and Resources	The lands managed by BLM, including those lands with D-1 protections, within the Yukon-Kuskokwim Delta have been important to our Tribes and communities for healthy and sustainable populations of fish, wildlife, and plant species. These resources are vital to our communities as subsistence and culturally significant resources, and the loss or adverse impacts to fish and wildlife habitat and subsistence resources would compromise our way of life and food security. Across the Yukon-Kuskokwim Delta our fishing and hunting practices and ceremonies are essential to the social, cultural, spiritual, and economic well-being and survival of our people and traditions. There are also historical trails sights that are yet to be listed. The Yup'ik and Cup'ik populations have historically lived a semi-nomadic life, where they lived along the rivers for the summer and migrated away from the river into the same lands that are a part of the D-1 areas. During their travels between areas, they would use separate trails between summer and fall and winter and spring. Elders and unfortunate souls passed their life and were buried along these historical trails. This would show that there is a wide and unpredictable area of spiritual and sentimental value to the historical trails and the history of our peoples, that would ultimately be disrupted if the lands are opened to the extractive industry.
Swope	Sophie	Mother Kuskokwim Tribal Coalition	40	Subsistence Uses and Resources	Tribes and others have participated in BLM land use planning processes, nominating watersheds and landscapes for protection. We reiterate here the importance of the Yukon-Kuskokwim Delta lands and resources and urge BLM to consider the real and probable adverse impact that lifting D-1 protections will have on our people. Lifting D-1 protections would fragment important habitat, jeopardize access to subsistence resources and could turn the Yukon-Kuskokwim region into a mining district.
Franzmann	Paul	N/A	9	Subsistence Uses and Resources	One of the Earth's last remaining great migrations, the Western Caribou, will be upended. Subsistence lifestyles will be ruined. Salmon runs will be endangered. Gawd only knows what else that might lie hidden in that vast wilderness will be lost. Or worse, released.
H	Lisa	N/A	16	Subsistence Uses and Resources	These lands should stay as they are and not allow any mining or commercial use of any kind. This is the bread basket for so many communities, these lands are critical to so many different species of fish, of wildlife, across the state. Ninety percent of the population here rely on the sea and land for food--fish, caribou and beaver. If the BLM opens more land in Alaska to mineral development, it would destroy the fragile ecological systems that support the local subsistence harvest of game, fish and berries. It has already happened too much in so many other places across the world. We cannot afford to destroy the natural balance of one of the last remaining unscathed places in our country. It would harm us all because the effects are more far reaching than we know, yet climate catastrophe shows us that we are all always affected.
Halloran	Maddie	Alaska Wilderness League	22	Subsistence Uses and Resources	I'd like to urge that keep all of the current D-1 withdrawals under consideration in place. These lands provide for crucial public access, and it's important they remain that way as retaining protections for these landscapes is necessary to support subsistence resources, such as wildlife, fish, many plants, clean water, and community access to public lands. Specifically throughout the scoping period, and the remainder of the EIS project, I'd encourage you to consider the following aspects of these lands. D-1 lands support communities, protect cultural resources, and support a variety of subsistence opportunities. Those subsistence resources utilize and depend on large, intact landscapes. Fragmenting these landscapes and watersheds by lifting these protections will harm fish and wildlife habitat and could harm subsistence opportunities. Big game migration corridors, and the important landscape connectivity provided by BLM land, all over the state of Alaska, are so important to the health of herds, and it's important to maintain those landscapes to support caribou, moose, and other populations for continuing.
Hotch	Jones	Chilkat Indian Village	30	Subsistence Uses and Resources	Haa Atxaayí Haa Kusteeyíx Sitee (Our food is our life). Our health and well-being is tied to the health and well-being of wild salmon, other anadromous and terrestrial species, and the medicinal plants that live within the Jilkáat Aani Ka Héeni (Chilkat River Watershed). The health and wellbeing of these plants and animals rely upon a pristine Jilkáat Aani Ka Héeni. Our culture requires that our wisdom and understanding of our pristine watershed and way of life be passed down from generation to generation. We teach our ceremonial and traditional uses of the water, land, plants and animals, and where our sacred and culturally important sites are within the Jilkáat Aani Ka Héeni. A continued healthy supply of fish and other aquatic and terrestrial life is necessary for our customary practice of teaching and educating our younger members now and to the seventh generation.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Leahy	Jen	Theodore Roosevelt Conservation Partnership	25	Subsistence Uses and Resources	The TRCP strongly supports maintaining existing conservation safeguards on the 28 million acres of public land in Alaska that are currently under review. Alaska's D-1 lands offer outstanding recreational hunting and angling opportunities and provide critical subsistence resources for rural communities. These 28 million acres of public land contain productive habitat for fishing, game, like caribou, moose, Dall sheep , migratory birds, and salmon, and much more. Opening large tracks of habitat to large-scale resource extraction would have serious consequences to Alaska's public fish and wildlife resources. Through this EIS, the BLM has a really unique opportunity to bolster our fish and wildlife populations and the many different user groups who depend on them by using conservation tools that already exist. As the BLM moves forward with this EIS, the agency should conduct robust analyses of the potential impacts of opening these lands to mineral entry on fish and wildlife habitat, recreational, and subsistence hunting and fishing, backcountry recreation, tourism, and climate resilience.
Slats	R.B.	Tribes and Tribal organizations of the Yukon-Kuskokwim Delta	59	Subsistence Uses and Resources	The undersigned, on behalf of the Tribes and Tribal organizations of the Yukon-Kuskokwim Delta, request that BLM retain the D-1 protections to safeguard subsistence fish, wildlife, and plant resources, access to those resources, and culturally important lands and resources from destructive extractive development. The lands with D-1 protections in the Yukon-Kuskokwim Delta region have been used by our communities and people for hunting, fishing, harvesting, trade, and living since time immemorial. Losing the protections across D-1 lands put our communities and way of life in jeopardy. The fish and wildlife habitat and migration corridors within lands managed by BLM are important to our people for subsistence resources and cultural practices.
Slats	R.B.	Tribes and Tribal organizations of the Yukon-Kuskokwim Delta	59	Subsistence Uses and Resources	The lands managed by BLM, including those lands with D-1 protections, within the Yukon- Kuskokwim Delta have been important to our Tribes and communities for healthy and sustainable populations of fish, wildlife, and plant species. These resources are vital to our communities as subsistence and culturally significant resources, and the loss or adverse impacts to fish and wildlife habitat and subsistence resources would compromise our way of life and food security. Across the Yukon-Kuskokwim Delta our fishing and hunting practices and ceremonies are essential to the social, cultural, spiritual, and economic well-being and survival of our people and traditions. Tribes and others have participated in BLM land use planning processes, nominating watersheds and landscapes for protection. We reiterate here the importance of the Yukon-Kuskokwim Delta lands and resources and urge BLM to consider the real and probable adverse impact that lifting D-1 protections will have on our people. Lifting D-1 protections would fragment important habitat, jeopardize access to subsistence resources and could turn the Yukon-Kuskokwim region into a mining district.
Hooper	Krystal	Native Village of Tununak	80	Subsistence Uses and Resources	The undersigned, on behalf of the Tribes and Tribal organizations of the Yukon-Kuskokwim Delta, request that BLM retain the D-1 protections to safeguard subsistence fish, wildlife, and plant resources, access to those resources, and culturally important lands and resources from destructive extractive development. The lands with D-1 protections in the Yukon-Kuskokwim Delta region have been used by our communities and people for hunting, fishing, harvesting, trade, and living since time immemorial. Losing the protections across D-1 lands put our communities and way of life in jeopardy.
Hooper	Krystal	Native Village of Tununak	80	Subsistence Uses and Resources	The fish and wildlife habitat and migration corridors within lands managed by BLM are important to our people for subsistence resources and cultural practices. The lands managed by BLM, including those lands with D-1 protections, within the Yukon-Kuskokwim Delta have been important to our Tribes and communities for healthy and sustainable populations of fish, wildlife, and plant species. These resources are vital to our communities as subsistence and culturally significant resources, and the loss or adverse impacts to fish and wildlife habitat and subsistence resources would compromise our way of life and food security. Across the Yukon-Kuskokwim Delta our fishing and hunting practices and ceremonies are essential to the social, cultural, spiritual, and economic well-being and survival of our people and traditions. Tribes and others have participated in BLM land use planning processes, nominating watersheds and landscapes for protection. We reiterate here the importance of the Yukon-Kuskokwim Delta lands and resources and urge BLM to consider the real and probable adverse impact that lifting D-1 protections will have on our people.
Hooper	Krystal	Native Village of Tununak	80	Subsistence Uses and Resources	Lifting D-1 protections would fragment important habitat, jeopardize access to subsistence resources and could turn the Yukon-Kuskokwim region into a mining district. Our people have cared for our ancestral lands for millennia, sustainably using resources from the land while protecting waters and lands to ensure our people have food and can engage in cultural practices. These lands and waters provide our communities with clean drinking water and healthy subsistence foods. The undersigned Tribes and Tribal organizations are concerned that lifting D-1 protections and opening these lands to mining will expose these important resources to contamination from mineral exploration and mining development. Our Tribes, Tribal organizations, and our people have engaged in the public process around the state and federal permitting of the Donlin Gold Mine project. Through those processes we have expressed our grave concern for the health of our lands, waters, and people and potentially significant and irreversible impacts of mining to our subsistence resources. Additional mineral entry and mining development on BLM lands would exacerbate these impacts and compromise our clean drinking water and health of our communities.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.(2) (2) EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations. February 11, 1994. CEQ has developed guidance concerning how to address Environmental Justice (EJ) in the environmental review process.(3) In accordance with this guidance, EPA recommends that the EIS address the following points: (3) https://ceq.doe.gov/docs/ceq-regulations-and-guidance/regs/ej/justice.pdf . - Identify specific low income or minority communities that may be impacted by the project. -Describe the efforts that have been or will be taken to meaningfully involve and inform affected communities about project decisions and impacts. -Disclose the results of meaningful involvement efforts, such as community identified impacts. -Evaluate identified project impacts for their potential to disproportionately impact low income or minority communities, relative to a reference community. -Disclose how potential disproportionate impacts and EJ issues have been or will be addressed by a BLM decision making process. -Propose mitigation for unavoidable impacts that will or are likely to occur. - Include a summary conclusion, sometimes referred to as an "environmental justice determination" that concisely expresses how EJ impacts have been appropriately avoided, minimized, or mitigated.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	We also recommend that particular attention be given to consideration of any dependence of local communities on local and regional subsistence resources, access to those resources, and perception of the quality of those resources. Additional information and tools for environmental justice analysis can be found on EPA's website at: https://www.epa.gov/environmentaljustice .
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	To identify where EJ concerns exist, EPA suggests using three tools: Environmental Justice Screening and Mapping Tool (EJScreen);(4) the BLM EJ Mapping Tool and Guidance;(5) and Climate and Economic Justice Screening Tool (CEJST).(6) EPA considers a project to be in an area of potential EJ concern when an EJScreen analysis for the impacted area shows one or more of the twelve EJ Indices at or above the 80th percentile in the nation and/or state. An EJScreen analysis which does not reveal the potential for EJ concerns does not mean that there are definitively no EJ concerns present. (4) https://ejscreen.epa.gov/mapper/ . (5) https://www.blm.gov/sites/default/files/docs/2022-09/IM2022-059_att1.pdf . (6) https://screeningtool.geoplatform.gov/en/#3/33.47/-97.5 .
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	Projects in rural locations (e.g., mining and energy extraction projects) can often occur near communities with EJ concerns experiencing critical service gaps (e.g., food deserts, medically underserved areas) or near locations where Tribal and indigenous peoples reside. EPA recommends consulting data in EJScreen on these topics (and other reasonably available data) to help inform EJ scoping efforts.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	CEJST can be used to assist Federal agencies in identifying and defining disadvantaged communities for the purposes of the Justice40 Initiative.(7) CEJST helps users consider census tracts identified as 'disadvantaged' and determine disproportionate impacts by the project. EJScreen and CEJST are complementary tools. CEJST data is available within the current version of EJScreen (Version 2.1). (7) https://www.whitehouse.gov/environmentaljustice/justice40/ .
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	EPA recommends the EIS also consider populations with EJ concerns that are not place-based. The use of GIS screening tools and census categories assumes that populations are place-based. Populations that use common resources and locations (e.g., for agricultural, recreational, or subsistence activities) may also be disproportionately impacted by project activities.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	EPA recommends the EIS address the following considerations for use areas that may overlap with the project area: -Identify community traditional use areas for subsistence, harvesting, hunting, fishing, travelling, camping, and other uses. -Describe the potential access limitations to these traditional use areas and their impacts to local communities. -Coordinate with the tribes and communities on options for mitigating impacts associated with accessibility to traditional and accustomed use areas. -Identify project activities that may conflict with traditional and accustomed uses. -Coordinate with the affected tribes and communities to identify mitigation options for avoiding and minimizing conflicts between traditional and accustomed subsistence uses and the construction and operation of projects in the area.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	As appropriate, Health Impact Assessments (HIAs), Social Impact Assessments (SIAs), and social determinants of health (consideration of economic and social conditions influencing human health) can provide agencies with important background data. Agencies may consider reaching out to entities both inside and outside the Federal government to seek their help in preparing HIAs, SIAs, and considering the social determinants of health, as either part of or an addendum to this, or a future tiered, NEPA document.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Environmental Justice	When analyzing a proposed action's effect on people of color or low-income populations, EPA recommends consideration of historical and existing data. These include cultural, health, and occupational-related variables such as differential patterns of use or consumption of natural resources or diets (e.g., subsistence/supplemental hunting and fishing), which may suggest increased exposure to environmental pathways presenting potential health risk. For example, where appropriate, Indigenous Traditional Ecological Knowledge (ITEK) can inform Federal decision making along with scientific inquiry.(8) ITEK is a body of observations, oral and written knowledge, practices, and beliefs that promote environmental sustainability and the responsible stewardship of natural resources through relationships between humans and environmental systems. When considering the use of ITEK, note that Tribal Nations have unique needs concerning data privacy, cultural information, and other issue that arise in participatory science, which may not be present in non-tribal projects. (8) https://www.whitehouse.gov/wp-content/uploads/2021/11/11521-OSTP-CEQ-ITEK-Memo.pdf .
Hotch	Jones	Chilkat Indian Village	30	Special Designations	The lands that are called "D1" lands in the Chilkat Valley are important places for food gathering and traditional activities. We rely on the health of salmon populations within the Chilkat River watershed, which has all five species of Pacific salmon and is one of the most important rivers for healthy salmon populations in Southeast Alaska. The tributary spawning streams for salmon include Glacier Creek, Porcupine Creek, the Tsirku River, the Chilkat River, and the Ferebee River. Each of these creeks and rivers, and many others, run through D1 lands. If D1 withdrawals are lifted, our Tribal government will not be able to enter into agreements with the US government agencies managing these lands at a time when we are requesting consultation and coordination to build co-stewardship of our lands and waters. Mountain goats, an important animal for our traditional weavings, are found across many of the D1 lands, and we have been asking the BLM to engage with us in co-management of these important wildlife populations for many years. As part of our many years of engagement on the ROF RMP and Haines Amendment, we also requested an ACEC designation as part of the most recent RMP revision and Haines Amendment process. This designation was deemed "valid" based on BLM's review of the designation, but in the final RMP, the ACEC designation was not moved forward. We would like BLM to revisit this designation as part of this scoping process and formalization of the alternatives for the DEIS.
Jensen	Meg (Margaret)	N/A	29	Special Designations	We have Wild & Scenic Rivers designated in our area. These rivers drain a large geographic area, much of which is included in the existing withdrawals. These withdrawals are needed in perpetuity to protect these watersheds. Other withdrawn lands are environmentally sensitive sites. Cumulative effects of the proposed action(s) must be completed.
Not Provided	Not Provided	N/A	3	Special Designations	I recommend we provide full protections for these lands and waters. We should convert as much of it to wilderness as possible only allowing for subsistence hunting for real subsistence hunters, not the ones with a Wasilla post office box. ANILCA was a good start god bless Jimmy Carter but we can do much more to protect and restore these lands and waters to their wild character. We need to limit the numbers of people and contract development. Our livelihood depends on the health of the environment.
O'Reilly-Doyle	Kathleen	N/A	50	Special Designations	The analysis should include discussion and recommendations for how these lands could be best managed for meeting the 30 x 30 Conservation Goals, before transferring them out of federal management.

Last Name	First Name	Organization Name	Letter Number	Comment Code Name	Comment Text
Fadness	Vickie	TRCP Supporter	65	Economy	I'm from Idaho and know how valuable our BLM property/lands are to us personally and economically. The value of Alaska's BLM Lands is the same. Industry can go to already destroyed land and build there.
Wells	Mike	Valdez Fisheries Development Association Inc.	60	Economy	The Valdez Fisheries Development Association Inc. (VFDA) operates a large salmon hatchery in Port Valdez, Alaska. Our Solomon Gulch Hatchery incubates up to 270 million Pink Salmon and 2 million Coho Salmon eggs annually. The returns of salmon to this hatchery are for the benefit of sport, commercial and subsistence fisheries in Prince William Sound. The total economic impact of VFDA is estimated at approximately \$112M annually. It is our understanding that the BLM intends to consider for withdrawal under ANCSA 17(d)(1), certain lands in Prince William Sound, located on the south side of Port of Valdez surrounding the southern end of Solomon Lake and its head waters. VFDA's comments are specific to the withdrawal and future permissible uses of this parcel of land. The success of our enhancement programs depends upon the availability of pristine fresh water sources for salmon rearing. Solomon Lake provides this water source for the Solomon Gulch Hatchery. Because of our critical reliance on these waters, VFDA is very concerned that the withdrawal of this land for future activities, including resource extraction, could impact the quality and/or availability of water from Solomon Lake. Therefore, VFDA recommends that the lands around Solomon Lake remain protected.
Guenzel	Richard	TRCP Supporter	66	Economy	The value of these lands as they exist now far exceeds the short term gains and long-term impacts if industrial resource extraction proceeds. There is no national security interest that justifies such development, despite international instability in some sectors due to the Russian-Ukraine War.
Obed	Sarah	Doyon, Limited	46	Economy	This process is a matter of substantial economic and historic and cultural importance to Doyon and its shareholders. It raises important issues relating to the fulfillment of the land entitlement and realization of the economic development opportunities promised to Alaska Natives as fundamental elements of the settlement of aboriginal land claims in ANCSA. It does not reflect policies intended to expedite the fulfillment of Alaska Natives' land entitlement guaranteed under ANCSA now more than 50 years ago.
Roesler	Caitlin	US Environmental Protection Agency Region 10	42	Public Health and Safety	We recommend that the EIS discuss any past, current, or projected future Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) activities in the project area and that the EIS summarize these CERCLA activities. In addition, we recommend that the EIS analyze and disclose any potential interactions between potential project impacts and existing contamination and ensure that project actions do not interfere with ongoing investigations or cleanup efforts. We also recommend that potential health impacts to local communities or other project area users be identified.

Appendix D

Suggested Literature and Data for the EIS

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Appendix D. Suggested Literature and Data for the EIS

Public comment submissions contained various suggested best available science and information for the BLM to consider while preparing the EIS. The full citations of these references are provided below.

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