

Alaska Lands Update

monthly updates on Federal management actions for the people of Alaska

Arctic National Wildlife Refuge
Photo Credit: USFWS

Citizens' Advisory Commission on Federal Areas, Department of Natural Resources, State of Alaska
3700 Airport Way Fairbanks, AK 99709

State Asserts Ownership to the Mosquito Fork of the Fortymile River

On June 1, 2012, the State of Alaska filed suit against the United States government to assert ownership of the land underlying the Mosquito Fork of the Fortymile River. This case is an important step toward addressing jurisdictional difficulties facing owners of mining claims within the bed of the river.

Under the U.S. Constitution as well as

federal Bureau of Land Management (BLM) has rejected evidence presented by the state that the Mosquito Fork is navigable. It has instead labeled the river "non-navigable" and denied the state's ownership of the land underlying that river.

Through a recent agreement between the state and BLM, Alaska enjoys the only successful program in the nation which can administratively clear up disputes over the state's ownership of riverbeds. This program has been successful for other waterways.

"Despite our best efforts, BLM has been unwilling to reconsider its determination that the Mosquito Fork and other rivers in the Fortymile area are non-navigable," State Attorney

General Geraghty said. "BLM's failure to reconsider the status of these rivers has forced us to resort to litigation to protect these important constitutional rights."

For more information on the case, please contact Assistant Attorney General Jessie Alloway at 907-269-5100.



federal law, the State of Alaska gained ownership to the beds of navigable or tidally-influenced water on the date of statehood. The only exceptions are waters expressly withdrawn by the federal government prior to statehood or waters determined to be "non-navigable." The

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Comment Deadline Reminders

- BLM Alaska Eastern Interior Resource Management Plan comment deadline July 23, website <http://www.blm.gov/ak>;
- National Petroleum Reserve-Alaska Integrated Activity Plan/Environmental Impact Statement extended comment deadline to June 15, 2012, website: www.blm.gov/ak;
- Special Rule for the Polar Bear and Draft Environmental Assessment, comment deadline June 18, 2012 website - <http://alaska.fws.gov/>.
- Joint Pacific Alaska Range Complex Modernization and Enhancement Draft Environmental Impact Statement comment period has been extended to July 9, 2012, website - www.jparceis.com.

National Forest System Land Management Planning Rule Federal Advisory Commission

The Secretary of Agriculture announced 21 members to serve on the Federal Advisory Committee Act (FACA) committee for implementation of the National Forest System Land Management Planning Rule. This committee will advise and give recommendations to the Secretary of Agriculture and the Chief of the U.S. Forest Service on implementation of the new planning rule.

Over 220 people from 34 states applied to serve on the committee; there are no members from Alaska on the committee. Members selected represent diverse

backgrounds, the full range of public interests in management of the National Forest System lands, and geographically diverse locations and communities.

As the Forest Service moves forward with rule implementation there will be multiple opportunities to stay engaged. The Planning Rule website at <http://www.fs.usda.gov/planningrule> has more information on the FACA committee and upcoming meetings. The committee will begin meeting sometime this summer and all meetings will be open to the public.

Serpentine Hot Springs Area Master Plan

Serpentine Hot Springs is located about thirty miles from the end of the Nome-Kougarok road. It is the most visited area of the preserve. It is a remote destination that is prized for its recreational, scenic, cultural, and spiritual qualities. The facilities at Serpentine are minimal and consist of an enclosed bath house; a bunkhouse with wood/oil heat; a connecting board walk; and a short dirt 1,100 foot airstrip. Current means of access to the area include fixed wing aircraft, snow mobile, dog sled, and foot.

As visitation increases through media exposure and word of mouth, impacts are likely to the natural and cultural resources at Serpentine Hot Springs. The NPS must create and implement an area management plan to proactively manage the situation. A Master Plan will update the long-range vision for facilities, as well as provide direction and framework for managing the Serpentine Hot Springs area regarding resources and providing positive experiences for visitors. The goal of this part of the planning process is to generate and test ideas to help inform the alternatives that will be developed as part of the Master Plan/EA. After this round of public involvement, the NPS will draft a set of alternatives and share them with the public before writing the Master Plan/EA.

A newsletter and workbook are available at the Park Service Planning website <http://parkplanning.nps.gov/projectHome.cfm?projectID=36603>.

Comments should be received before June 30th, 2012

Commission Members

Representative Wes Keller, Wasilla
Chairman - (H)

Mark Fish, Anchorage
Vice Chairman - (G)

Rod Arno, Palmer (S)
Executive Committee

Charlie Lean, Nome (G)
Executive Committee

Mike Meekin, Palmer (H)

Senator Linda Menard, Wasilla (S)

Warren Olson, Anchorage (S)

Colleen Richards, Anchorage (G)

Ron Somerville, Juneau (H)

Susan Smith, Chokosna (G)

Alex Tarnai, Tanana (G)

Frank Woods, Dillingham (G)

(S) SENATE APPOINTMENT

(H) HOUSE APPOINTMENT

(G) GOVERNOR'S APPOINTMENT

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www.dnr.alaska.gov/commis/cacfa

AS 41.37.160 The Citizens' Advisory Commission on Federal Management Areas in Alaska is established in the department [Natural Resources]. In the exercise of its responsibilities, the commission shall consider the views of citizens of the state and officials of the state.



Military Extends JPARC Comment Deadline to July 9

Alaska Command, as the Department of Defense's regional joint headquarters in Alaska, has coordinated with the Services to develop a joint strategy to identify joint training opportunities in Alaska, maximize the use of training resources, and improve joint training. The *Environmental Impact Statement for the Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex in Alaska (JPARC Modernization and Enhancement EIS)* will evaluate the elements of this strategy which are reasonably foreseeable.

At present, the JPARC consists of all land, air, and sea training areas used by the Army, Navy, and Air Force in Alaska. The military uses the JPARC to conduct testing, unit level training, and to support various joint exercises and mission rehearsals. The JPARC was originally developed to support cold war weapons, tactics, and techniques. Its current configuration cannot fully meet the training requirement for forces and exercises located in Alaska. The proposed JPARC enhancements would enable realistic joint training and testing to support emerging technologies, respond to recent battlefield experiences, and train with tactics and new weapon systems to meet combat and national security needs. JPARC enhancements would enable the Services to train realistically and jointly so military personnel could succeed in their mutually supportive combat roles when exposed to situations faced in actual combat. More information can be found at the project website at www.jpisceis.com.

Designation of 54 New National Recreation Trails

Secretary of the Interior Ken Salazar and Director of the National Park Service Jonathan B. Jarvis have announced the designation of 54 trails as national recreation trails, adding almost 1,400 miles of trails to the National Trails System. Spanning 23 states, the land and water trails provide opportunities for communities to connect to the great outdoors.

"From Alabama to Alaska, these national recreation trails provide a gateway to outdoor recreation in both urban and rural areas," said Secretary Salazar. "I am proud to partner with communities across the nation to expand this extraordinary network of trails, allowing more Americans to enjoy the great outdoors."

National recreation trail designation recognizes existing trails and trail systems that link communities to recreational opportunities on public lands and in local parks across the nation. Each of the new national recreation trails will receive a certificate of designation, a letter of congratulations from Secretary Salazar, and a set of trail markers.

The national recreation trail program is jointly administered by the National Park Service and the USDA Forest Service in conjunction with a number of other federal and nonprofit partners, notably American Trails, which hosts the national recreation trails website at <http://www.americantrails.org/nationalrecreationtrails>.

Of the 54 trails that have been designated as national recreation trails, two are located in Alaska; those are the Beaver Creek Water Trail and the Kanatak Trail in the Becharof National Wildlife Refuge.

Arctic National Wildlife Refuge Draft CCP Comment Analysis

The Arctic National Wildlife Refuge has announced that an analysis of public comments on the Draft Revised Comprehensive Conservation Plan (CCP) and Draft Environmental Impact Statement (EIS) have been posted to the Refuge's website at <http://arctic.fws.gov/ccp.htm>. Over 612,000 communications were received during the public comment period, and every communication was read, reviewed, and evaluated to determine if it addressed specific elements of the Draft CCP/EIS.

The comment analysis includes summary statistics about all the comments received, including the number of communications, the number of form letter campaigns, and the number of communications by geographic location. Of the 612,000 comments, 1,303 comments were considered to be substantive, and they will require a written response from the U.S. Fish and Wildlife Service. The Service's responses to these 1,303 comments will be published in the Final CCP/EIS later this year.



Kenai National Wildlife Refuge announces Scoping for the Shadura Natural Gas Development Project Environmental Impact Statement



The U.S. Fish and Wildlife Service (Service), has received an application for a proposed right-of-way within the Kenai National Wildlife Refuge (Refuge) from Nordaq Energy, Inc. for the Shadura Natural Gas Development Project (Project), which would involve construction and operation of facilities associated with the exploration and production of natural gas from the subsurface estate within the Refuge. The right-of-way would be in compliance with Section 1110(b) of ANILCA, regarding access to in-holdings, for the construction and operation of facilities associated with the exploration and production of natural gas from the subsurface estate within the Refuge. The Service owns the surface estate, and Cook Inlet Region, Inc. (CIRI)

owns the subsurface estate of coal, oil, and gas in the project area. The Project would be in the northwestern portion of the Kenai Peninsula, approximately 4 miles southeast of the end of the road in Captain Cook State Recreation Area.

The Service intends to gather information necessary to prepare an environmental impact statement (EIS). Comments will be accepted on the scope of issues to be addressed in the EIS by June 18, 2012. Additional information on the Project can be found at: <http://kenai.fws.gov/current.htm>; <http://alaska.fws.gov/nwr/planning/nepa.htm>; and by contacting Peter Wikoff, Natural Resource Planner, U.S. Fish and Wildlife Service, at (907)786-3357.

Notice To Terminate the Wilderness Study and EIS on a Lake Clark National Park General Management Plan Amendment

The National Park Service is terminating the wilderness study and environmental impact statement on a general management plan amendment for Lake Clark National Park and Preserve. Public comments, received during scoping in 2011, focused on issues related to opportunities for visitor use, recreation and access, and pursuing a wilderness study in this plan did not emerge as an important issue therefore the NPS has decided this plan should focus on providing for visitor use while protecting park resources and values. The plan will be evaluated in an environmental assessment because the management alternatives are not expected to result in significant impacts to the human environment. For additional information contact Lee Fink, Acting Superintendent, Lake Clark National Park and Preserve, 240 West 5th Avenue, Suite 236, Anchorage, AK 99501. Telephone: (907) 644-3626.

White Sulphur Spring Bathhouse Project Decision Notice and Finding of No Significant Impact

June 1, 2012, the Sitka Ranger District of the Tongass National Forest has released a Decision Notice and a Finding of No Significant Impact for the White Sulphur Spring Bathhouse Project. Currently, the building is closed because of its poor structural condition which making it unsafe for use. The document discusses the implementation of decisions made by the Forest Supervisor and the selected alternative which is to replace the existing bathhouse including the concrete soaking pool and holding tank. After seeking further interpretation of ANILCA, the Forest Supervisor had a better understanding of how this law guides wilderness management in Alaska. This interpretation is also described in the decision. There is an appeal period for this decision which closes 45- days after publication of the legal notice in the Ketchikan Daily News newspaper. For more information on this project visit the project website at http://www.fs.fed.us/nepa/nepa_project_exp.php?project=19743 or contact the Sitka Ranger District at (907)747-6671.

Agency Websites:

National Park Service

<http://www.nps.gov/state/ak/index.htm>

U.S. Fish & Wildlife Service

<http://alaska.fws.gov/>

U.S. Forest Service - Region 10, AK

<http://www.fs.fed.us/r10/>

Bureau of Land Management

<http://www.blm.gov/ak/st/en.html>

Department of the Interior

<http://www.doi.gov/>

National Marine Fisheries Service

<http://www.nmfs.noaa.gov/>