



Republicans for Environmental Protection

GOVERNMENT AFFAIRS OFFICE:
11705 Sumacs Street
Oakton, VA 22124
Phone: 703-785-9570

www.rep.org

June 7, 2010

Sharon Seim
U.S. Fish & Wildlife Service
Arctic National Wildlife Refuge
101 12th Ave, Rm 236
Fairbanks, AK 99701-6237

Comments on the Arctic National Wildlife Refuge Comprehensive Conservation Plan/EIS Scoping

Thank you for the opportunity to provide comments on the scoping for the revised Arctic National Wildlife Refuge Comprehensive Conservation Plan (CCP) and Environmental Impact Statement (EIS).

Republicans for Environmental Protection (REP) is a national grassroots organization that has been working for years to safeguard the Arctic Refuge. Unfortunately, much of that effort has been necessarily focused on preventing oil development on the Refuge's coastal plain.

We hope to see the day when the future of the Arctic Refuge as a wild and untrammelled landscape is secure. While REP is involved in many important issues, none have generated the level of member engagement that our work related to the Arctic Refuge has.

While our members are dedicated conservationists, they also recognize that natural resource stewardship requires a balanced approach. I think that sense of balance is one of the reasons REP members are so dedicated to keeping the entire Arctic Refuge protected from development.

They see the oil drilling in Prudhoe Bay and in other parts of Alaska's North Slope, they know that vast expanses of Alaska's Arctic have also been made available for development—and they come to the same conclusion the Eisenhower Administration came to 50 years ago — that protecting the Arctic Refuge represents balance.

Our members also recognize that the Arctic Refuge is unlike any other part of the American landscape, an arctic and sub-arctic environment where wilderness can be

experienced on an epic scale – mountains, rivers, plains, seacoast and abundant wildlife.

Such a broad spectrum of diverse habitats and wildlife populations occurring within a single protected unit is unparalleled in North America.

Refuge Purpose and Vision

We support the Draft Arctic Refuge Vision outlined in the CCP planning booklet:

“This untamed arctic landscape continues to sustain the ecological diversity and special values that inspired the Refuge’s establishment. Natural processes and traditional ways ebb and flow with the seasons; physical and mental challenges test our body, mind, and spirit; and we honor the land and its wildlife with respect and restraint. Through responsible stewardship this vast wilderness is passed on, undiminished, to future generations.”

We also support the Draft Goals for Stewardship listed in the CCP planning booklet - particularly those focused on preserving natural biodiversity, ecological processes, and wilderness values.

Oil and Gas Development

Oil and gas exploration and drilling are **not** compatible with the purpose and vision of the Refuge. The vast web of pipelines and other infrastructure needed to extract oil and gas from the Refuge would industrialize and forever alter the landscape. Beyond that, persistent problems with pipeline corrosion would subject the refuge to a risk of oil spills in very remote locations.

We expect USFWS to continue “prohibiting production of oil and gas leasing or other development leading to production of oil and gas, and construction of oil and gas support facilities in the refuge, unless authorized by Congress.”

These prohibitions include seismic exploration and other geological exploration in the coastal plain. The revised CCP should acknowledge and support the continuation of the existing prohibitions on oil and gas, leasing, development, and production of KIC and ASRC lands.

Oil and gas activities and infrastructure onshore and offshore in the nearshore and marine waters pose some of the biggest threats to the integrity of the Arctic Refuge fish and wildlife populations and habitats, subsistence resources and uses, recreation, water quality and quantity, wilderness, and other purposes from activities beyond its immediate borders. Although oil and gas development is prohibited in the Arctic Refuge, there would nonetheless be impacts from development near or next to the Refuge.

The BP Deepwater Horizon blowout and spill in the Gulf of Mexico has revealed major shortcomings in blowout prevention, inspection, and worst-case scenario spill risks, response, oversight and compliance, and environmental impact review by industry and the government. Spill containment and clean up technology and capability has clearly failed to keep pace with the ability to drill wells in more and more challenging environments. This has direct relevance to both state and federal offshore oil and gas leasing and operations in the Beaufort Sea that have potential to impact the refuge and its resources.

Since there can be no confidence in the oil and gas industry's ability to contain and clean-up a spill before catastrophic impacts occur, the Arctic Refuge must take the risk from Beaufort Sea offshore oil drilling seriously into account as it addresses its research and monitoring plans for its coastal resources, and plans management activities.

Refuge management actions should ensure precaution in federal offshore leasing and approval of exploration and development authorizations at this time and support a timeout until there are adequate environmental baseline studies, oil spill analysis including worst-case blowouts including state-of-the-art trajectory modeling, and proven oil spill response capabilities for icy arctic waters.

USFWS must work with other agencies to ensure that robust contingency plans are in place to protect the Refuge and its immediate offshore waters from the impacts of a spill.

Refuge management actions should also include input into states offshore oil and gas leasing and activities, and the Point Thomson oil and gas project on the western boundary of the Refuge. Finally, FWS should track and provide input on offshore oil and gas activities taking place in Canada.

Climate Change

With arctic sea ice succumbing to the impacts of climate change, the word Refuge is taking on new emphasis. The most threatened part of the Arctic Refuge, its coastal plain, provides the most important land denning habitat for the iconic—and now also threatened—polar bear.

The Arctic Refuge CCP should ensure areas identified as critical habitat for the polar bear are managed in a manner that protects all aspects of their habitat necessary to allow their successful survival and breeding in the Refuge.

The diversity, size, isolation and ecological integrity of the Arctic Refuge offer a unique capability to maintain ecosystem resiliency and provide options for species adaptation to a rapidly changing climate. The CCP must safeguard and sustain the present undisturbed and un-manipulated condition of the Refuge in order to realize its maximum scientific value for understanding the effects of climate change in the Arctic.

The CCP should also protect the integrity of the Refuge from possible future impacts associated with increased shipping and cruise ship use of the North West Passage as the polar ice pack continues to melt. For example, the use of helicopters to transport tourists from cruise ships into the Refuge should be proactively prohibited before problems develop. Access to the Refuge from cruise ships via other modes of transportation, such as inflatable boats, must be carefully regulated according to season and location to prevent impacts to nesting birds on barrier islands and other sensitive areas where wildlife may be impacted.

The threat of invasive species will likely become greater due to climate change. Prevention of their occurrence should be implemented through cooperative efforts with air taxi operators, guides, visitors, and neighboring land managers, especially along the Dalton Highway and across the shared border with Canada.

Wilderness and Wild & Scenic Rivers

As we celebrate the 50th anniversary of President Eisenhower's decision to set aside the Arctic National Wildlife Range, this planning process affords us an opportunity to continue and enhance that legacy by safeguarding the Refuge's defining attribute—its wilderness character.

To that end, REP requests that in the Comprehensive Conservation Plan and EIS for the Arctic Refuge you conduct a full wilderness review for all non-designated refuge lands, including the entire coastal plain. We are confident that doing so will result in the agency recommending to Congress their rightful inclusion in the National Wilderness Preservation System.

That would be a great step forward in ensuring that 50 years from now, our children and grandchildren will also marvel at this spectacular landscape, and look back with gratitude at the legacy we left them.

Some have submitted comments erroneously suggesting that USFWS should not conduct a wilderness review because wilderness designation requires an act of Congress. Quite to the contrary, one of the primary reasons USFWS is required to conduct wilderness reviews is to provide Congress with the information it needs to make legislative decisions about wilderness designation.

Without completing a wilderness review and/or making recommendations for wilderness, we believe the Service would be out of compliance with ANILCA, the National Environmental Policy Act (NEPA) and the agency's own policies and guidelines. We are encouraged that the Service indicated in the Notice of Intent (NOI) for the Arctic Refuge CCP revision process that it will include wilderness reviews as part of its planning process. We strongly support this decision.

In addition, Refuge rivers have outstanding scenic, recreational, and fish and wildlife values that warrant their evaluation for designation as wild and scenic.

In the CCP revision process, FWS must address the eligibility of various rivers in the Arctic Refuge for special status under the Wild and Scenic Rivers of 1968 (P.L. 90-542). In particular, we recommend evaluation of the Canning, Hulahula, and Konkakut Rivers on the coastal plain.

As part of the scope of the CCP revision, FWS should thus complete an inventory of the rivers of the Refuge, identify their special values and character, and determine their eligibility for Wild and Scenic River designation. This effort should include those rivers not currently in designated Wilderness. We also urge the Service to include recommendations for Wild and Scenic River designations for candidate rivers as part of the CCP revision process.

Recreation and Access

The revised CCP should seek to perpetuate the type of recreation envisioned with the establishment of the Refuge. Mass recreation, like that promoted in other conservation system units, was not within the vision of those who founded Arctic Refuge, nor in its intended purposes. These founders believed then, as we do now, that recreation should allow one to get away from the influences of civilization and re-connect with nature. The Arctic Refuge provides true challenges in an untrammelled, elemental world. There are opportunities for exploration, adventure, and risk in an authentic natural, landscape against a background of immense solitude.

While the Refuge remains remote and difficult to access, recreation use has grown since it was enlarged by ANILCA. It is vitally important to manage recreation to ensure that visitors can continue to enjoy an authentic wilderness experience that includes maximum solitude, natural quiet, and opportunities to explore untrammelled landscapes in ways that require self-reliance and prudent awareness of natural risks.

This element of risk should be an integral part of the Refuge experience, and FWS should avoid making the area "safe" or assuming responsibility for visitors. The rare qualities of the Refuge in this regard must be protected so that visitors have the full sense of independence, freedom, and self-reliance that protection of the wilderness will allow.

Further, agency presence should be as unobtrusive as possible. We strongly advise against installing any "improvements" that would degrade an authentic wilderness experience, such as trails, cabins, bridges and signs.

Hunting should be undertaken to the highest standard of sportsmanship, and fair-chase principles must be required. The spotting of game from airplanes by hunters should be prohibited, as should commercial trophy hunting services. USFWS should maintain adequate law enforcement capability to protect the Refuge from all illegal activities that can adversely impact the Refuge and its wildlife.

The plan should address over-use on river corridors by implementing limits and other measures to restore wilderness qualities. It should also be proactive in preventing crowding and disruption of wildlife everywhere in the Refuge. In areas where rationing of use is necessary, the plan should not favor commercial guiding operations over opportunities for non-guided visitors. The revised plan should consider designating the Firth – Mancha Research Natural Area as a commercial-free zone in accord with the FWS Wilderness Stewardship Policy (610 FW 2 E). Consideration should also be given to the establishment of zones where aircraft landings are restricted so that visitors will be able to experience solitude without intrusive aircraft activity.

The relationship of the Service and commercial guides, air taxi operators, and visitors should maximize sharing of information regarding observation of illegal activities, environmental impacts, changes in wilderness character, habitat changes, and unusual wildlife observations. These data should be integrated into an adaptive management system that is responsive to changes that may occur in the Refuge.

The revised CCP should address issues regarding the access provisions of ANILCA to assure protection of Refuge resources. Motorized access across Refuge lands must be limited to airplanes, motorboats, and snow machines that are established as traditional activities and not exceed levels that existed at the time ANILCA became law.

The definition of a traditional activity should follow that which was developed by the National Park Service for Denali National Park. The use of airplanes, motorboats, and snow machines for recreational pursuits other than traditional activities must be prohibited.

Since human-powered wildland recreation is a purpose of the Arctic Refuge, the use of airplanes to access Refuge lands for human-powered wildland recreation activities should continue to be allowed. Recreation that is focused on commercial purposes, advertising, racing, or competition, e.g., use of snow machines for “high marking” contests and other such uses, should not be permitted.

The revised plan should also require continual monitoring of motorized access across Refuge lands to determine impacts. If significant impacts are detected, regulations must be developed, including proper public notice and review, to “*protect natural and other values of the conservation system units.*” In this context, “*other values*” should include physical and living resources, such as soils, plants, and wildlife, and intangible values, such as solitude, wilderness character, and aesthetics. Since the use of all-terrain vehicles in the Arctic Refuge was non-existent when ANILCA passed and was not specifically allowed in the law, ATV's cannot be authorized for general public access within the Refuge.

For access to inholdings, the plan should provide a process to define “reasonable” access and the conditions under which such access may be granted. This process should also address the use of ATV's for access to inholdings, determine their

potential for impacts to Refuge resources, and prescribe if, and under what conditions and restrictions, they may be permitted. Jetskis should be added to Title 50 regulations prohibiting the use of air boats, and air cushion vehicles within refuges.

Conclusion

In closing, we wish to emphasize that there is no place comparable to the Arctic National Wildlife Refuge anywhere in America. It is a unique confluence of wildlife, wilderness and scenic values that warrants the highest levels of protection as the "crown jewel" of America's National Wildlife Refuge System. We strongly urge the Fish & Wildlife Service to adopt rigorous protections in its revised Comprehensive Conservation Agreement for this one-of-a-kind treasure.

Thank you again for providing the opportunity to comment on the scoping for the Arctic Refuge CCP revisions process. REP looks forward to working with you to finalize this critical planning effort as we celebrate the Refuge's 50th anniversary and look forward to safeguarding this special landscape and its wildlife for the benefit of present and future generations.

Sincerely,

A handwritten signature in blue ink that reads "David E. Jenkins". The signature is written in a cursive style with a large, looping initial "D".

David E. Jenkins
Vice President for Government & Political Affairs
Republicans for Environmental Protection
(703) 785-9570