

**National Park Service**  
**U.S. Department of the Interior**

**Bering Land Bridge National Preserve**  
**Alaska**



**Finding of No Significant Impact**

**Guided Sport Hunting Concessions**

**May 2013**

Recommended: Janette A. Koelsch 5/24/13  
Superintendent, Bering Land Bridge National Preserve Date

Approved: Alec G. Masum 6/3/13  
Regional Director, Alaska Date

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Hunting Guide Concessions In Bering Land Bridge National Preserve, Alaska May 2013**

The National Park Service (NPS) is considering soliciting proposals for guided sport hunting services in Bering Land Bridge National Preserve (Preserve). Guided hunting occurred in this area before and a few years after the passage of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), which established the Preserve. Guided sport hunting has not occurred in the Preserve since the mid-1980s. Sport hunting is allowed in the Preserve under Federal and non-conflicting State laws and regulations for Game Management Units 22 and 23, pursuant to ANILCA Sections 203 and 1313 and 36 CFR Part 13.40(d). This action will authorize guided sport hunting in the Preserve by authorizing up to three concession contracts for a 10 year period in three separate guide areas. The purpose of the action is to offer commercial guided hunting opportunities in BELA, and determine the frequency and area in which they could occur while maintaining the purposes and values for which the area was established.

The environmental assessment (EA) evaluated the effects of three alternatives for guided sport hunting in Bering Land Bridge National Preserve: A) No Action or no contracts to be issued for guided hunting services; B) Award up to 3 contracts for guides across the entire Preserve with a limit of up to 300 clients over the 10-year contract period; and C) award up to 3 contracts for guides to operate in separate guide areas with a 10-year total of up to 200 clients, apportioned to guide areas and available harvestable resources.

The NPS selected Alternative C (*NPS Preferred Alternative*), which will authorize up to 3 hunter guide concessions in separate guide areas of the Preserve over the next 10 years with client limits apportioned according to available harvestable resources by each area and not to exceed 200 total clients over the contract period. Implementation is contingent upon successful award of up to three hunting guide concessions.

Seven parties commented on this EA with letter, email, and/or postings to the NPS Planning, Environment, and Public Comment (PEPC) web site during a 30-day public comment period from November 12 to December 12, 2012.

## **ALTERNATIVES**

Three alternatives were evaluated in the EA.

### **Alternative A - No Action**

Under the No Action alternative, the NPS would not issue a prospectus for guided hunting and concession contracts would not be awarded to provide guided hunting services within Bering Land Bridge National Preserve. Subsistence and sport hunting without guides could continue in the area. Sport hunting access would be by personal transportation, licensed air taxi operators, or big game transporters. Pursuant to State of Alaska regulations, nonresident citizens of the USA

could not hunt brown bear in the Preserve unless accompanied by a close relative who is an Alaska resident at least 19 years old with a license to hunt in Alaska. Nonresident foreigners would not be allowed to hunt any big game species in the preserve.

### **Alternative B – Award up to three Guided Hunting Contracts for the Entire Preserve**

Under this Alternative the NPS would issue a prospectus to solicit offers for up to three guided hunting concessioners in the Preserve, who would be authorized to take up to an average of 10 clients per year anywhere in the Preserve where legal harvestable resources were available for sport hunters. Up to a total of 300 clients could be authorized over the 10-year contract period. Each guide could take up to 14 clients into the Preserve during some years when conditions allowed, but would have to reduce the number of clients in other years so as not to exceed the 100 client limit over 10 years. Depending whether one, two, or three concession contract awards are made, the total number of clients over 10 years would be 100, 200, or 300. The Superintendent could revise client limits in the annual operating plan for each concession, based on resource condition and subsistence needs in the area.

### **Alternative C - Award up to three Guided Hunting Contracts for Separate Guide Areas in the Preserve (*NPS Preferred Alternative*)**

The NPS would issue a prospectus to solicit offers for up to three guided hunting services with each guide operating in separate areas within the Preserve. One concessioner would be authorized to guide up to 10 clients each year in unit 22E (Guide Use Area 22-01), and the other one or two concessioner(s) would be limited to up to 10 clients each year in the remaining Guide Areas within the Preserve: 22-03, 22-06, and 23-07, (see attached figure). This alternative would provide for an average of 20 clients annually, or up to 200 clients over the ten-year contract period.

For both action alternatives, guided hunting operations (including shooting, camps, and processing of game) would not be authorized in an area around the Serpentine Hot Springs (between 44 and 50 square miles as depicted in EA map figures 2.3 and 2.5).

Guided hunting parties would not be permitted to use safety cabins throughout the Preserve for bases of hunting operations; the shelters are reserved for emergency uses only. Guides would be able to guide for all species their clients would be legally able to hunt under current State hunting regulations, except as closed to non-subsistence uses by the Federal Subsistence Board and as further limited in accordance with the Superintendent's annual operating plan for concessions and in consultation with ADFG, as needed.

## **PUBLIC INVOLVEMENT**

The EA was issued for public review and comment from November 12 to December 12, 2012. The EA was mailed to about 65 parties, including state and federal agencies, federally recognized tribes in the area, communities, organizations, and individuals, and it was posted on the NPS PEPC website. A press release announced the availability of the EA for public review and comment. The NPS presented the EA alternatives and issues to the Alaska Department of

Natural Resources Citizens' Advisory Commission on Federal Areas in Anchorage, Alaska on November 28, 2012. The Superintendent met with residents of Shishmaref and Nome during the comment period and was available to receive comments at those meetings.

Comments on the EA were received from the State of Alaska, National Parks Conservation Association (NPCA), the Alaska Professional Hunters Association (APHA), a local area-licensed hunting guide, and two individuals. The NPS identified several substantive comments that either raised a new issue not fully addressed in the EA, suggested a reasonable new alternative, suggested additional mitigation measures, or provided new information or facts that have bearing on the decision. Responses to these comments are attached to this FONSI in Appendix A.

## **DECISION**

The NPS decision is to select Alternative C (*Award up to Three Guided Hunting Contracts for Separate Guide Areas in Bering Land Bridge National Preserve*) with an added option to re-evaluate the area and activities to be restricted from guided hunting in the Serpentine Hot Springs area. The NPS will authorize up to three sport hunting guide concessions for separate guide areas in the Preserve. Guide areas in the preserve will be based on the four State Guide Use Areas (GUAs) which occur in the preserve. Client limits will be set at 10 clients per year for GUA 22-01 and a total of 10 clients per year for GUAs 22-03 and 22-06, and 23-07 combined. These limits will result in a maximum of 200 clients over 10 years. Guided hunting operations will not be permitted within a designated area of about 44 square miles around the Serpentine Hot Springs area.

## **RATIONALE for the DECISION**

Alternative C (Award Guided Hunting Contracts for up to Three Guides in Separate Guide Areas in the Preserve) satisfies the purpose and need for the project better than the no-action alternative because it will enable a limited number of nonresident hunters to hunt in the national preserve pursuant to State requirements. Guided sport hunting services are considered to be an appropriate and necessary means to provide hunting opportunities for both Alaska resident and nonresident hunters in Alaska national preserves. Alternative C enables the NPS to authorize guided hunting services within the Preserve to provide an opportunity for all interested U.S. citizens to hunt brown bear and foreign hunters to hunt any big game in the Bering Land Bridge National Preserve pursuant to federal and State of Alaska laws and regulations.

This alternative also minimizes conflicts with subsistence hunters because it distributes a few sport hunters (up to an average of 20 hunters each year) over 2.5 million acres. Guided sport hunters could hunt in areas farther from the area communities than is generally now the case, which could reduce conflicts with local residents.

Actions resulting from this decision will enable a small increase in economic activity in an economically depressed area. The alternative provides a small number of employment opportunities for local residents, where such opportunities are rare and valuable in this area.

This alternative provides a reasonable distribution of guided hunters within the Preserve with less chance of conflict between each of the guides in the area than Alternative B. Furthermore, local licensed guides expressed a preference for separate guide areas in this part of Alaska. The effect on local and nonlocal resident hunters in the preserve is expected to be minimal because few hunters venture into this remote and difficult to access area and because game is generally more plentiful elsewhere.

The majority of the recreational uses in the area are focused on the Serpentine Hot Springs area, which this decision will exclude from guided hunting activities. NPS recognizes the Serpentine Hot Springs area's significance for spiritual, recreational, and healing activities. In order to preserve the nature of the uses of this area, the federally-owned structures at Serpentine Hot Springs (bunkhouse, bath house, and outhouse) are not to be used by guided hunting parties. The approximately 44 square mile area surrounding Serpentine Hot Springs depicted in Alternative 3 will continue to be unauthorized for guided hunting. This area includes the upper reaches of Hot Springs Creek and Reindeer Creek watersheds. NPS selected this delineation over the 4-mile radius delineation of Alternative 2 because the delineation in Alternative 3 is based on easily identifiable landmarks.

The best available biological data show that muskoxen numbers in the Preserve have decreased dramatically in recent years. Caribou numbers appear to be increasing in the Preserve, but the vast majority of caribou are migratory and their presence in the Preserve during sport hunting seasons is highly uncertain. Moose numbers may be increasing slightly in one or more subunits, and grizzly bear numbers appear to be steady or slightly increasing. Subsistence hunters greatly value caribou when they migrate into areas near villages and moose, but subsistence reliance on muskoxen and brown bears is generally much less important. Area subsistence users have expressed concerns over potential competition for important moose and caribou resources. For these reasons the more conservative client limits in Alternative C may be more sustainable and reasonable than the higher client limits presented in Alternative B.

Alternative A (*No Action and Environmentally Preferable Alternative*) was not selected because it would result in no guided hunting services within the Preserve, which would exclude non-Alaska resident USA hunters from hunting grizzly bears and foreign residents from hunting any big game species in the Preserve. Such a result would unnecessarily limit nonresident USA citizen and foreign hunters in the area.

## **SIGNIFICANCE CRITERIA**

The preferred alternative will not have a significant effect on the human environment. This conclusion is based on the following examination of the significance criteria defined in 40 CFR Section 1508.27.

*(1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

The EA evaluated the effects of Alternatives A through C on wildlife (brown bear, muskoxen, moose, and caribou), subsistence uses, cultural resources, recreational uses, and local

employment. As documented in the EA the effects of the selected alternative will be mostly minor and adverse or beneficial, depending on the impact topic. There will be up to a moderate effect on other recreational uses of the Preserve, mostly to resident sport hunting. Minor effects to cultural resources, if any, are expected to occur at sites in the Preserve; however, if impacts do occur from guided hunting activities, then the effects could be moderate and long-term. There will be minor effects to wildlife populations, especially to limited populations of moose and brown bear. There will be small but important positive effects on local employment opportunities. There will be no significant restriction of ANILCA Title VIII subsistence uses.

*(2) The degree to which the proposed action affects public health or safety.*

Authorizing guided sport hunting in separate guide areas across the Preserve will not likely result in any observable change with regard to public safety and hunting practices in the Preserve. Separating guides spatially reduces the chance for competition and accidents over the same game resources. Restricting guided sport hunting around the Serpentine Hot Springs special use area will minimize the potential for conflicts and accidents between guided hunters and other recreational and subsistence users in that area.

*(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetland, wild and scenic rivers, or ecologically critical areas.*

Important historic or cultural sites and traditionally important areas such as the Serpentine Hot Springs area will not likely be adversely affected from guided sport hunting in the Preserve because guided sport hunting will be restricted at the Serpentine Hot Springs and because knowledgeable guides and assistants with local area ties want to keep positive relationships with affected area communities. There are no designated wilderness areas or wild rivers within the boundaries of the Preserve. Guided hunting is a seasonal activity in which no wetlands or other critical habitat for polar bear are adversely affected for more than a brief period of time, if at all.

*(4) The degree to which effects on the quality of the human environment are likely to be highly controversial.*

The guided hunting concession contracts are not expected to have a measureable effect on the quality of the human environment because sport hunting has occurred for decades in the Preserve area up until the present time with no apparent adverse effects on the resources and values for which the area was established. Some parties expressed concern that guided sport hunting would focus on harvest of brown bears as predators of other game species, which would be inconsistent with NPS management policies. The NPS does not foresee the harvest of brown bears or other big game species as being inconsistent with ANILCA and its implementing regulations or NPS management policies.

*(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*



The effects of the selected alternative do not involve unique or unknown risks. The legal harvest of big game will be carefully managed and monitored through annual activity reports required from the concessions and annual operating plans approved by the Superintendent.

*(6) The degree to which the action may establish a precedent of future actions with significant effects or represents a decision in principle about a future consideration.*

This action will not set a precedent because sport hunting in national preserves in Alaska is authorized pursuant to ANILCA Sections 203 and 1313 and guided and unguided sport hunting have occurred in this area since the Act passed and prior to the area's establishment.

*(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

Subsistence and unguided sport hunting also occur in the Preserve; however, subsistence take of brown bears and muskoxen in the Preserve is very low but the take of caribou and moose is very important to local hunters and their communities. The sport hunter take of moose, muskoxen, caribou, and brown bear in the Preserve has been low and is expected to be slightly lower if guide concessions are authorized in the Preserve. Predators, mostly brown bears and wolves, also take ungulates (moose, caribou, and muskoxen) in the Preserve. The cumulative effect of guided sport hunting take on caribou is expected to be negligible because caribou generally occur in large migratory herds and the take by local area residents is much greater than any other sport hunting, guided or unguided, is likely to be. The overall effect of guided hunting on wildlife populations in the Bering Land Bridge National Preserve area in addition to hunting by subsistence and unguided sport hunters is expected to be minor.

*(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The selected alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places; however, the Serpentine Hot Springs area is being nominated as a traditional cultural property. Restrictions on guided hunting and related activities in the Serpentine Hot Springs area will ensure this valuable traditional area and associated cultural resources will be protected.

*(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

A finding by the U.S. Fish and Wildlife Service (FWS) for an Endangered Species Act Section 7 consultation found that the selected alternative would not cause significant temporary disturbances to the threatened Steller's eider, spectacled eiders, or polar bears because most guided hunting would occur in locations and times when these species are not present. The FWS

concluded “that the proposed action is not likely to adversely affect spectacled eider or polar bear critical habitat.”

*(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The selected alternative would not violate any Federal, State, or local law.

## **FINDINGS**

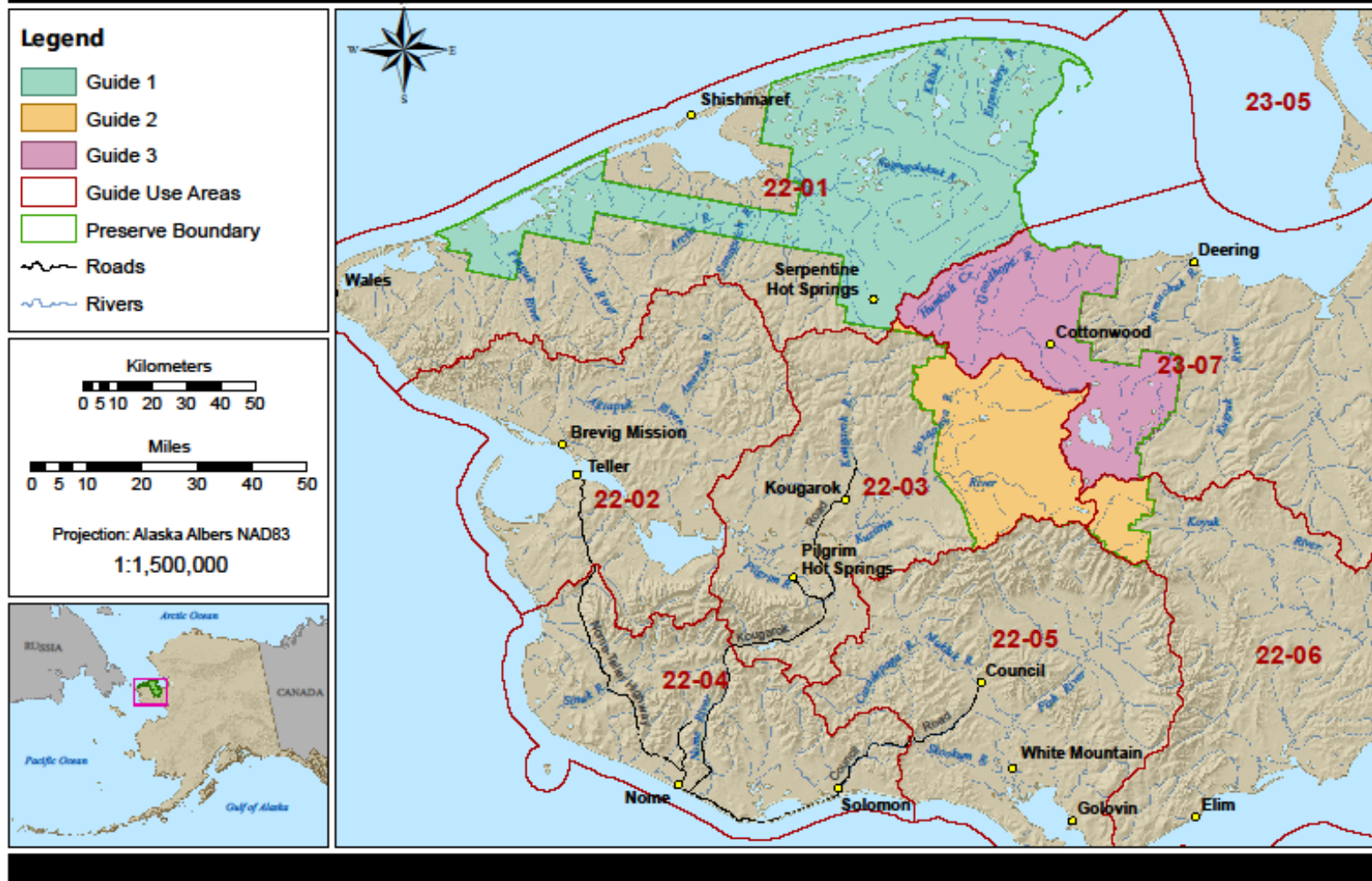
The levels of adverse impacts to park resources anticipated from the selected alternative will not result in an impairment of Alaska NPS area resources that fulfill specific purposes identified in the establishing legislation or that are essential to the natural or cultural integrity of the Bering Land Bridge National Preserve (Appendix B).

The selected alternative complies with the Endangered Species Act, the National Historic Preservation Act, and Executive Orders 11988 and 11990. There will be no significant restriction of subsistence uses as documented by the Alaska National Interest Lands Conservation Act, Title VIII, Section 810(a) Summary Evaluation and Findings.

The National Park Service has determined that the selected alternative does not constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with the National Environmental Policy Act of 1969 and regulations of the Council on Environmental Quality (40 CFR 1508.9), an environmental impact statement is not needed and will not be prepared for this project.



**Figure 2.2. Guide Use Areas for Each Guide in Alternative C**



## APPENDIX A

### NPS RESPONSES TO PUBLIC COMMENTS for the Bering Land Bridge National Preserve Guided Sport Hunting Concessions Environmental Assessment of November 2012

In response to the environmental assessment, the NPS received 7 comment letters and one telephonic comment during the public comment period. Described below are the substantive comments and the NPS responses. Substantive comments are those which raise important new issues, suggest new viable alternatives, suggest mitigation measures, or correct or add factual information that may have bearing on the impacts or decision at hand. The following parties submitted comments that the NPS judged to be substantive, and their comments are organized and numbered with the NPS responses following immediately after. A comment similar to or identical to a comment made by another party may be referred to the NPS response to the first such comment addressed.

Government to Government:

**SOA-AIP** - State of Alaska, ANILCA Implementation Program

**SOA-CACFA** - State of Alaska, Citizens' Advisory Commission on Federal Areas

Non-governmental Organizations (NGOs):

**APHA** – Alaska Professional Hunters Association

**NPCA** - National Parks Conservation Association

Individuals:

**BS** - Brian Simpson, Licensed Guide in State of Alaska

**SOA-AIP #1:** The EA generally appears to focus on reducing conflicts with subsistence users rather than adjusting harvest to meet harvestable surplus as determined by the State of Alaska. As these numbers are indirect allocations of wildlife, it is imperative the Service recognize the need to work with the State and adjust guided use opportunities, if necessary, to meet State biological objectives, within sustained yield principles.

**NPS Response:** *The NPS agrees it needs to work with the Alaska Department of Fish and Game, as noted in the EA at bottom of page 9. Pages 4-5 of the EA set out the Congressional policy in passing ANILCA and particularly with regards to subsistence uses in Title VIII of ANILCA and the responsibility and authority of the State to manage fish and wildlife on public lands, except as may be provided in Title VIII. NPS does not concur that NPS management objectives must be adjusted to comply with state biological objectives, within sustained yield principles. NPS must comply with ANILCA, non-conflicting state law, and all other statutes applicable to the National Park Service.*

**SOA-AIP #2:** Congress reaffirmed the State’s traditional role as manager of fish and wildlife in Section 1314 of ANILCA, which states that “[n]othing in [ANILCA] is intended to enlarge or diminish the responsibility and authority of the State of Alaska for management of fish and wildlife on the public lands ....” Through the Alaska Constitution, the State of Alaska retains management authority for all wildlife within the state through the regulatory powers of the Alaska Board of Game, and is responsible to manage those resources under the sustained yield principle through the Alaska Department of Fish and Game. While additional subsistence harvest opportunities are provided through ANILCA, the Federal Subsistence Board, in consultation with state managers, is responsible for evaluating all requests for additional consumptive subsistence opportunities for qualified rural residents through an open and active public process.

**NPS Response:** *Non-conflicting State fish and wildlife laws and regulations apply in national preserve areas, and the federal subsistence board sets subsistence take of fish and wildlife on most federal lands including National Preserves in Alaska. See also response to SOA-AIP #1. The area Superintendent manages commercial uses on NPS lands, including hunting guide concessions, as authorized in ANILCA Section 1314 (b). ANILCA Section 802(2) states “... subsistence uses shall be given preference on the public lands over other consumptive uses; ....” As noted in ANILCA Section 802(3), the NPS intends to continue to cooperate with adjacent land owners and managers, including Native Corporations, and appropriate State and Federal agencies.*

**SOA-AIP #3:** Page 7, Wildlife Populations: The reference to “healthy populations in this context is misleading as that terminology only applies to subsistence management under Title VIII of ANILCA. ... We request the following clarification in the errata sheet for accuracy in applying the intent of ANILCA. “... to protect habitat for, and healthy populations of wildlife ....”

**NPS Response:** *The statement has been changed as noted in the errata.*

**SOA-AIP #4:** Page 7, Wilderness, first sentence: While a majority of the lands were determined eligible (formerly referred to as suitable) in the GMP, in ANILCA Section 1317 Wilderness Recommendation Final EIS for BELA, 89 % of the preserve was not recommended for wilderness designation. We understand the NPS has signed RODs for all ANILCA Section 1317 wilderness reviews conducted for park units in Alaska and we request any future references to “eligible” lands fully disclose those final decisions.

**NPS Response:** *The wilderness review process required under ANILCA Section 1317(b) has not been completed on the 19 million acres that were identified as eligible in the 1984-86 General Management Plans. Although EISs and Records of Decision were completed by the NPS, no final action was taken in the Secretary of the Interior’s office and no wilderness recommendation was ultimately conveyed to Congress. Park General Management Plans remain the authority for eligible wilderness until a new wilderness study or eligibility assessment is completed.*

**SOA-AIP #5:** Pages 7-8, Wilderness: The discussion pertaining to temporary facilities is confusing. The 1988 GMP included a finding under ANILCA Section 1316(b) that “new temporary facilities would constitute a significant expansion” and therefore would not be allowed. It also concluded that tents which do not require platforms or other structures would not

be limited by the determination and that in the future, if changing circumstances warranted, the NPS could propose to allow temporary facilities. We request the final decision document accurately reflect the limits established in the GMP.

**NPS Response:** *The NPS agrees with the comment, and the correction will be noted in the errata.*

**SOA-AIP #6:** Page 21, 3.1.1 Access, first paragraph: We request the errata sheet recognize that helicopter use is permitted for administrative activities, as well as scientific use.

**NPS Response:** *The NPS agrees with the comment, and the correction will be noted in the errata.*

**SOA-AIP #7:** Page 44, 3.6.3 Moose Harvest History, first paragraph: We request a citation in the errata sheet to substantiate the statement that “*Some predict that most State moose hunting regulations on the Seward Peninsula might need to move to Tier II hunts.*”

**NPS Response:** *We cannot find a citation. NPS will remove the sentence from the EA, which will be noted in the errata.*

**SOA-AIP #8:** Page 54, last paragraph: The last sentence states it is not clear whether hunting camps could be established on native allotments inside Preserve boundaries. We question why this is an issue for the Service because native allotments are private lands. ANILCA Section 103(c) states the State, Native Corporation, and private lands are not subject to federal regulations that apply solely to public lands within CSUs.

**NPS Response:** *The NPS agrees the sentence incorrectly implied that NPS regulates hunting camps on private land, and a correction will be noted in the errata. Hunting guides may use private land for hunting camps inside Preserve boundaries if authorized by the private landowner.*

**SOA-DNR #1:** The EA on page 9 states client limits could be adjusted annually by the Superintendent “depending on wildlife populations and their distributions.” This appears to indicate that the per-year limit could be adjusted up or down, but the 10-year maximum limit would still be set at 200 clients for the assigned guide areas. While this approach gives year to year flexibility in making adjustments based on wildlife populations and distributions, it might actually limit flexibility and client opportunities over the 10-year life. Another approach might be to set the 10-year 200 client limit as a general target, but consider further adjustment to the maximum limit after 5 years.

**NPS Response:** *The NPS Preferred Alternative sets the more conservative 200 client number as the overall 10-year ceiling for guided hunters in the Preserve, not as a target number of clients, because the status of wildlife populations in the area (moose, bears, muskoxen, and caribou) and because subsistence uses and needs are high in the area. The annual maximum number of clients will be identified in the Operating Plan of the Concession Contract. The Superintendent may adjust the Concession Contract’s annual operating plan to address emergency or emerging*

*issues; however, these are expected to be temporary annual adjustments that would not affect the overall ceiling described in the EA.*

**SOA-DNR #2:** Related to the harvest of fish and game, the BELA GMP did make the determination that new temporary facilities would not be allowed; however, the GMP did not rule out the possibility that prohibition could change (GMP pg 109).

**NPS Response:** *The NPS agrees with the comment, and the correction will be noted in the errata.*

**SOA-DNR #3:** We are unaware of any NPS authority that would prevent an allotment owner from entering into a rental or lease agreement with a guide or any other person, even if the allotment is located within the boundary of a national park system unit. ... The sale or lease of a Native allotment in most instances requires approval by the Bureau of Indian Affairs, but does not require any approval by the NPS.

**NPS Response:** *The NPS agrees with the comment, and the correction will be noted in the errata. See also response to SOA-AIP#8.*

**APHA #1:** The EA does not sufficiently explain the broader legal and policy context for hunting in the Preserve. Spelling this out in appropriate detail will help counter the inevitable critics not aware of the pro-hunting directions set forth in applicable law and executive order.

**NPS Response:** *Sections 1.2.1 and 1.2.2 of the EA identify legal and policy bases for hunting in the Preserve. In addition, NPS will include in the errata Executive Order 13443, which encourages public hunting on public lands when consistent with other laws.*

**APHA #2:** APHA supports Alternative C but urges NPS to modify the Serpentine Hot Springs exclusion area. We are persuaded that a substantially reduced exclusion area coupled with appropriate permit terms and conditions can achieve NPS goals without barring guided sport hunters from this portion of the preserve.

**NPS Response:** *The NPS recognizes the significance of the Serpentine Hot Springs area for cultural, recreational, and healing activities. Alternative C delineates approximately 44 square miles where no guided hunting will be allowed. This area is based on watersheds and prominent knolls for easy identification. Activities in the Serpentine Hot Springs area will be geographically separated from potential negative impacts of guided hunts in the Preserve by the ridgelines used as boundaries in Alternative C. Alternative C would open about 99% of the Preserve to guided hunting upon successful award of up to three concession contracts.*

**APHA #3:** Page 1 of the EA misstates applicable law in reference to “non-conflicting State laws and regulations.” Per ANILCA § 1316 and the Alaska Statehood Act, the State of Alaska retains primacy over management of resident wildlife – including hunting – within the State and on federal lands.

**NPS Response:** *Given the content of the comment, we think the commenter meant to refer the NPS to ANILCA Section 1314, not 1316. See response to SOA-AIP #2.*

**APHA #4:** Page 8 – The references to structures should be modified to reflect the ability to use tent platforms and other structures pursuant to section 1316 of ANILCA.

**NPS Response:** *The NPS agrees in part. See response to SOA-DNR #2.*

**APHA #5:** Page 13 – The effects on recreation users and cultural resources is overstated as moderate; the analyses indicate correctly that any cumulative effects would be negligible.

**NPS Response:** *Summary impact analyses are based on the syntheses of three impact criteria: intensity, duration, and context. Impacts to cultural resources around lakes and lava fields during fall hunts are low intensity because the overall small number of hunters and the likely, but unconfirmed, presence of cultural resources. The authorization of guided hunting parties could last 10 years or longer and are therefore long-term in duration. If impacts to cultural resources were to occur, then the effects would be long-term, or arguably permanent. For these reasons the impacts were judged to be potentially moderate, but they would probably be less. The cumulative effects from all other potential impacts such as erosion from climate change, vandalism, etcetera, cannot be less than the direct and indirect effects, therefore cumulative effects are changed to a potential maximum moderate level as well, which will be reflected in the errata. A similar argument holds for the potential impacts to recreational uses, the overall cumulative effects level to an impact topic cannot be less than the direct and indirect effects of an action. The impacts to the levels of overnight recreational use across the Preserve, other than in the Serpentine Hot Springs area, would increase from about 300 overnights by around 100 additional overnight recreational stays, assuming an average of five overnights for each guided hunter in the Preserve. This would be a substantial percent increase in overnight stays, albeit dispersed over a large area of about 2.5 million acres.*

**APHA #6:** Page 13 – The effects on subsistence is overstated as minor, but APHA maintains these effects would be negligible as a matter of fact and similarly negligible as a matter of State and Federal subsistence law.

**NPS Response:** *The cumulative effects cannot be less than the direct and indirect effects to a resource or value. As noted in the EA and the ANILCA 810 Evaluation and Findings, the effects to subsistence uses would be minor and there would not be any significant restriction of subsistence uses. The cumulative effects to subsistence uses would also be no less than minor. Corrections will be noted in the errata under cumulative effects for all of the impact topics, including subsistence.*

**APHA #7:** Page 27-28 - The Subsistence production section demonstrates that marine mammals and fish dominate subsistence harvests on the Seward Peninsula. In contrast, land mammals (the targets for guided hunters) account for only small portions of such harvests (e.g. 3 or 4% for Brevig Mission and Wales) demonstrating that conflicts with guided sport hunters will be minimal.

**NPS Response:** *The NPS land mammal harvest comprise 19% of the harvest for Shishmaref by weight and 28.2 % for Deering, respectively, which are significant amounts. Furthermore, as sea ice continues to retreat and marine mammals become scarcer, then local reliance on land mammals is likely to increase, not decrease. The data for Wales and Brevig Mission does not reflect the overall regional importance of land mammals as subsistence resources. See also more recent data in Ahmasuk et al. (2008) and BLM (2008) in its Resources Management Plan for the Seward Peninsula and Kobuk River areas.*

**APHA #8:** APHA concurs that brown bear predation is suppressing moose populations on the Seward Peninsula. Wolf predation is also having adverse impacts on caribou, moose, and muskoxen. This fact should be added to the EA.

**NPS Response:** *The NPS recognizes that bear and wolf predation on ungulates occurs on the Seward Peninsula, and a sentence will be added in the errata to indicate possible predation by wolves.*

**APHA #9:** Page 69 – APHA fails to see how allowing up to 20 guided sport hunters each year on a multi-million acre preserve, and barred from a 40 square mile area around Serpentine Hot Springs, could have a moderate effect on recreational users of the Hot Springs. Since the EA also concludes that cumulative effects on the recreational users would be negligible, the moderate impact conclusion makes no sense.

**NPS Response:** *The NPS agrees with the part of the comment indicating it makes no sense that cumulative impacts would be negligible while direct and indirect impacts would be moderate. The errata to the EA will address this error. The summary impact to recreation describes impacts to recreational users of all of BELA, not just the Serpentine Hot Springs area. Recreational enjoyment of the Serpentine Hot Springs area would not be affected because the area would not be opened to guided sport hunting.*

**APHA #10:** Page 71 – APHA concurs that Alternative C would have negligible cumulative effects but disagrees that the same Alternative would have more specific minor effects.

**NPS Response:** *As per definitions of effects criteria used in the EA (section 4.1) the minor effects determination was concluded because the resources are considered to be important and the duration of the effect would be long-term. In addition, the contribution to the cumulative effects must be at least equal to the identified direct and indirect effects. Therefore, in the errata the contribution to cumulative effects for muskoxen and caribou has been changed to minor and a moderate cumulative effect to brown bear and moose populations.*

**APHA #11:** Mr. Bob Fithian called to indicate written comments would follow from APHA counsel, but he wanted to stress that closing an area to guided hunting around the sensitive Serpentine Hot Springs area, where big game transporters and air taxi operators could drop off hunters with no supervision, was unfair and not in the NPS best interest. He thought NPS should consider controlling access to the area by unguided nonlocal hunters too if we are going to close



it to guided hunters, or close the area to unguided nonlocal hunters and open it to guided hunters over whom NPS would have more management control.

**NPS Response:** *This concern is beyond the scope of this EA. The NPS will consider similar stipulations for big game transporters when their Commercial Use Authorizations (CUA) are renewed.*

**NPCA #1:** Overall brown bear harvest data from ADFG (EA at page 37), which includes non-residents, shows a low level of hunting in the four units that cover BELA. In 2010, the total number of brown bears harvested was 29, but that data does not indicate how many of those animals were harvested from the preserve. Given that the majority of the lands within these four Guide Use Areas are not NPS lands, we can conclude that there is very little brown bear hunting occurring in the preserve. Yet this proposal would facilitate an additional 20 to 30 brown bears harvested in just the preserve, a number that could double the total amount of bears harvested in all four Game Management Units combined.

**NPS Response:** *Guided clients would only be able to harvest wildlife within the guidelines set by ADFG and the Federal Subsistence Board. Right now ADFG regulations allow a maximum of 12 brown bears to be harvested throughout GMUs 22D and 22E under the drawing hunt DB690, which accounts for most of the guides' bear hunting clientele and includes the majority of BELA lands. Only 10-15 brown bears have been harvested in the tabulated years 2007 through 2010 in GMU 23, only a portion of which occurs in the Preserve. A small part of GMU 22B overlaps the boundaries of BELA. In addition, it is highly unlikely that 20 or more brown bears would be harvested in BELA under alternative C because each of the maximum of 20 guided hunters would be limited to one bear each and guided hunter success varies between 50% and 100%, depending on the GMU area. Furthermore, a few of the guided hunters would be able to hunt for moose, caribou, and muskoxen, mostly at different times of the year. The NPS thinks the actual number of sport harvest of brown bears within the Preserve would be minimal because not all clients would be hunting bears and some, if not most, of the permitted nonresident harvest of brown bears would continue to occur outside of the Preserve.*

**NPCA #2:** The EA clearly states (page 61) that the harvest of land mammals “is an important part of the subsistence economy.” Yet in that discussion, we don’t see what “changes in subsistence use patterns” would call for guided hunting concessions that would benefit primarily non-resident hunters. On the contrary, in discussing the impacts of the preferred alternative the EA on page 70 clearly states that any “guided hunts for limited moose resources or caribou that are accessible to federally-qualified subsistence users could cause competition for valued resources.”

**NPS Response:** *Local rural residents prefer to hunt available animals closer to their communities because of the increasing cost of fuel to travel far from communities on motorboats or snowmachines. Much of the guided hunting on the Seward Peninsula currently occurs in areas closer to the subsistence communities on state, private, or BLM lands. By authorizing guided hunting in areas farther from local communities in the Preserve, the NPS preferred alternative may actually reduce competition and conflict in areas closer to the subsistence communities.*

**NPCA #3:** We see nothing in the purposes of BELA that speaks to providing new economic activity. The two other “purposes” wildlife and subsistence are included in BELA’s enabling legislation and reflected in the Foundations Statement, but not economic activity. We fail to see how NPS can use economic activity as one of the primary drivers of this action.

**NPS Response:** *Economic activity is not a primary driver for the proposed action, but is a consequence from providing for guided sport hunting by nonresident hunters through the use of concession guides. Nonresident hunters have a much greater effect on State and local economies than resident and local hunters.*

**NPCA #4:** The EA on page 72 discusses “a surplus of brown bear hunting opportunities in unit 22 outside of the BELA for those most likely to use guide services.” If existing opportunities to shoot bears are going unfilled, we fail to see what the need is to move into the preserve.

**NPS Response:** *The proposal would disperse nonresident sport hunting for brown bears on the Seward Peninsula over a wider area by providing opportunities for U.S. citizens and foreigners to hunt brown bears in the Preserve. These opportunities would otherwise not exist because of state requirements that non-resident hunters be accompanied by a guide in many situations.*

**NPCA #5:** Based on our analysis of the three actions sited for a positive Purpose and Need for the proposed action, we find the opposite: the Purpose and Need does not support bringing guided hunting concessions to Bering Land Bridge National Preserve.

**NPS Response:** *We disagree. See responses to NPCA #s 2, 3, and 4.*

**NPCA #6:** Before any action is taken to implement one of the two action alternatives, we request that better population data be gathered and analyzed so that NPS has solid, scientifically defensible, and timely baseline information from which to successfully monitor brown bear population fluctuations caused by hunting success.

**NPS Response:** *While additional population data would help assess the effects of guided sport hunting on populations of big game such as brown bears, we believe the existing data are sufficient for this decision. The NPS Arctic Network Inventory and Monitoring Program recently developed a protocol for monitoring brown bears. Implementation of this protocol will soon begin yielding quantitative estimates of brown bear numbers in NPS Arctic parklands on a recurring basis. This data will allow NPS to determine if changes to annual client limits are needed.*

**NPCA #7:** The EA on page 71 states three of the subunits that include BELA (22-03, 22-06, and 23-07) “are thought to have healthy brown bear populations.” The NPS should not make any decision to expand hunting opportunities without empirically derived abundance estimates from an uncited source that thought the population was healthy.

**NPS Response:** *As noted above, the harvest of brown bears by nonresidents is controlled by drawing permits. The areas noted in the comment comprise the south eastern half of BELA and*

*expanded hunting opportunities into the Preserve could spread out hunting pressure on brown bears to a larger area than those more concentrated areas around the Preserve. Small portions of all of the subject guide use areas overlap the boundary of BELA. Though current brown bear population data would be helpful, NPS finds it doubtful that hunting by nonresidents in a larger area for the same or similar number of drawing permits for brown bears would adversely affect the bear population in the overall area.*

**NPCA #8:** The EA on page 42 states “brown bear density in Unit 22 has increased over the last decade and predation by brown bears on calf and adult moose is a significant factor suppressing moose populations in many parts of the unit.” Statements on page 35 and 71 say there is no current brown bear population data, yet this statement says there is an increase, but it is not cited. This contradiction needs to be addressed. Secondly, where is the research to say brown bears are reducing moose populations?

**NPS Response:** *A citation for the statement has been added in the errata. The statement is from the ADFG Area Biologist, who believes that bear density in Unit 22 has increased over the last decade. The reader can read the full management report (Gorn 2010) where Gorn concludes that predation by bears on calf and adult moose is a significant factor suppressing moose populations in many parts of the Unit. The article below is a critique of predation and moose population dynamics, which show wolf and bear predation on moose vary by population densities, and generally indicate bears are more effective predators of moose calves and wolves are more effective predators of adult moose. The article notes that predators, including brown bears, are not the only factors affecting ungulate populations. Severe winters, habitat conditions, reproductive rates, and human harvest are also important in affecting ungulate populations.*

*Boutin, Stan. 1992. Predation and moose population dynamics: A critique. J. Wildlife Management. 56:1 116-127.*

**BS-#1:** I recommend reviewing the Serpentine Hot Springs exclusion area because the square mileage of the exclusion area to guided hunting is excessive to protect the cultural and archeological and subsistence uses of the springs... Because guides would have a blend of species for which to guide, it is unlikely that more than a couple of hunts per year would occur near the Serpentine Springs. Brown bears are the most desirable species that can be hunted in 22E and drawing permits limit the take of bears to 12 for all of GMUs 22 D&E. Half of these hunts are in spring and about half in fall, but there is no viable mobility in the Preserve near the springs in fall. Therefore it is unlikely that more than two (maximum of three) hunts per year would occur anywhere near the springs, and this is not good enough justification to close the area to guided hunts.

**NPS RESPONSE:** *See response to APHA-#2.*

**BS-#2:** The proposed closure around the Serpentine Hot Springs would adversely affect access to adjacent state owned lands on Taylor Creek to the east and the state owned lands to the west and south. From the perspective of a guide operation based in Shishmaref, access to open state lands on either side of the Preserve is critical.

**NPS RESPONSE:** *We disagree. There are several feasible routes around this area to reach Taylor Creek or to travel from east to west around the Serpentine Hot Springs area. These would be routes via Schlitz Creek or Dickey Creek to the south and west of Hot Springs and Reindeer creeks. From the headwaters of Taylor Creek multiple drainages feed into the Humboldt and Goodhope River drainages, which intersect a winter trail between Deering and Shishmaref. Furthermore, the area around the Serpentine Hot Springs would not be a closure because the area is not now open to guided hunting; it would be an area not opened to guided hunting activities.*

**BS-#3:** Most guide personnel in the local area are local residents of Shishmaref, Brevig Mission, and Teller. They are very knowledgeable of sensitive areas, potential user conflicts, and all details of the area such that conflicts between guided sport hunting and subsistence hunting parties are unlikely. For this reason the Serpentine exclusion area should be reviewed.

**NPS RESPONSE:** *The NPS cannot presume that guides will be local or knowledgeable of ongoing cultural, recreational, and healing uses of the Serpentine Hot Springs Area. See also response to APHA-#2.*

**BS-#4:** Closing the Serpentine Hot Springs area to a small number of visitors who are guided hunters (less than 1 %) for a few days a year seems unnecessary and discriminatory.

**NPS RESPONSE:** *See response to APHA-#2. The NPS is responding to comments by local area residents who use the traditional use area during the same period spring bear hunters are likely to be there, which could result in user conflicts. Furthermore, the NPS wants to reduce the potential for health and safety issues around the immediate hot springs area.*

**BS-#5:** Realizing the Serpentine Springs is a sensitive area to the NPS, an operational plan for a concession unit could be developed to consider all factors to ensure access, safety, and minimal conflict with any other user of the area. The NPS could allow each concession bidder for that portion of the Preserve that includes the Serpentine Springs area to incorporate as part of their operations plan, the manner and details on avoiding conflicts during the provision of hunting services, rather than closing an arbitrary amount of square miles around the springs. The NPS could evaluate the responses in determining the overall highest scoring bidder, as in any other prospectus category.

**NPS RESPONSE:** *The content of the prospectus is beyond the scope of this EA. See also response to APHA#2.*

**BS-#6:** Using the springs as a base camp for hunting operations would not be compatible on one extreme, but excluding the entire drainage area around it is the other extreme. Consider allowing access to the area to all visitors in a manner that does not create conflict.

**NPS RESPONSE:** *The NPS will consider ways to avoid user conflict in the Serpentine Hot Springs area in such a manner that all visitors who want to visit the area for its traditional uses may do so.*

**BS-#7:** Communities adjacent to the Preserve are economically depressed with unemployment approaching 90%. Current guiding operations on lands near and adjacent to the preserve are operated by locals and/or staffed predominantly by local rural residents. Commercial hunting is one of the few private avenues to generate revenue and live at home in the villages. The EA understates the important contribution the NPS can make to benefit local communities economically by awarding guide concession contracts in the Preserve. Licensed guides, mechanics, cooks, skinners, scouts, and logistic personnel employ about 15 persons during the height of a hunting season. In a community of 600 with 90% unemployment this is remarkable. Aside from direct employment, local stores, airlines, craftspeople and artisans all have enhanced opportunity to earn cash in an area that disparately needs such opportunity. These dollars brought into the communities from guided activities have a positive impact and do not require grants or resources from strained federal and state budgets. The economic benefits of guiding in the region are greater than stated in the EA because there are so few other alternatives to earn income, either directly or incidental to the guiding.

**NPS RESPONSE:** *Data in the EA page 22, Table 3.1 do not indicate that unemployment rates approach 90% in the affected area communities. The highest unemployment rate for nearby communities is 42.9% for Wales and 36.7% for Brevig Mission. Shishmaref has an unemployment rate for employable adults reported at 17.7%, though the median family income is only \$37,292 with the lowest median resident age in the reported communities at 22.5. The few seasonal employment opportunities created from guided hunting may be very important to those families who participate and it could last for several years, and the overall effect to the community would be small and measureable. Therefore, the NPS tends to agree with the comment that the effect on local employment opportunities is underrated in the EA; the effects are minor because they are measureable, rare and valuable, and would last for several years. This change will be reflected in the errata.*

**BS-#8:** In the EA section 3.71 it is not clear how using private camps within the preserve would have a negative effect. No additional construction is necessary and the seasons are brief and the numbers of clients small.

**NPS RESPONSE:** *See response to SOA-AIP #10.*

## **APPENDIX B**

### **ERRATA FOR THE HUNTING GUIDE CONCESSIONS EA**

#### **Bering Land Bridge National Preserve, Alaska**

The following are corrections to information presented in the EA. Most of these errors were pointed out by the State of Alaska and the Alaska Professional Hunters Association.

1. Page 6, Section 1.2.2: Executive Order 13443 is hereby appended to this section, which states: “Facilitation of Hunting Heritage and Wildlife Conservation (Executive Order 13443): The President issued this EO in August 2007 to specify that Federal agencies shall, consistent with agency missions, evaluate the effects of agency actions on trends in hunting participation and implement actions to expand and enhance public hunting opportunities. The NPS proposed action is consistent with the EO.
2. Page 7, Section 1.3.1, Wildlife Populations: The word “healthy” is removed from the wildlife issue statement because BELA is not specifically mandated in ANILCA to manage for “healthy” populations of wildlife.
3. Page 7, Section 1.3.2, Wilderness: The State of Alaska pointed out the EA cited the NPS EIS for Wilderness Recommendation, which had a record of decision recommended to the Secretary of the Interior from the Director of the NPS. The NPS proposed action in the BELA Wilderness Recommendation Final EIS was not submitted to the President by the Secretary of the Interior as required by ANILCA Section 1317(b) nor acted upon by Congress as required by ANILCA Section 1317(c). Thus, the 1986 BELA GMP remains the authority for eligible wilderness and the NPS should have quoted it. Therefore the citation at (NPS 1988) is hereby changed to (NPS 1986).
4. Pages 7-8, Section 1.3.2, Wilderness: The discussion pertaining to temporary facilities is confusing. The 1986 GMP included a finding under ANILCA Section 1316(b) that “*new temporary facilities would constitute a significant expansion*” and therefore would not be allowed. The GMP also concluded that tents, which do not require platforms or other structures, would not be limited by the determination and that in the future, if changing circumstances warranted, the NPS could propose to allow temporary facilities. The previous sentence is hereby included at the end of this section of the EA.
5. Page 11, Mitigating Measures: A new section 2.8 is hereby appended to chapter 2, which indicates, among other possible measures, that NPS will monitor of brown bear populations and ungulate populations and their distributions in the BELA area in concert

with ADFG efforts to better justify the increases or decreases in client limits in the various subunits over time.

6. Pages 13-14, Summary impacts of the alternatives for direct, indirect, and cumulative effects: The direct and indirect effects were all described as being equal to or greater than the cumulative effects on a resource or impact topic, which is illogical and technically impossible. The EA is hereby corrected to indicate the cumulative effects of the alternative action and all other impact agents to a resource or value are at least as great as the direct and indirect effects to that resource. See the attached revised Table 2.2, Summary of Alternative Impacts.
7. Page 21, 3.1.1 Access, First Paragraph: The EA is corrected to indicate helicopter use is permitted for administrative activities, as well as scientific use.
8. Page 42, Section 3.6.3, Moose Population Status and Trend: The statement, “Brown bear density in Unit 22 has increased over the last decade and predation by brown bears on calf and adult moose is a significant factor suppressing moose populations in many parts of the unit” is taken from Gorn 2010. Furthermore, the following sentence is appended to this paragraph: “Wolf predation on moose can also be a factor, especially during winter months when larger numbers of wolves move into the area because of the presence of wintering caribou.” Examples of literature supporting brown bear predation on moose are contained in Ballard, et al. (1981), Franzmann et al. (1980), and Boutin, Stan (1992) and the following references are added to the reference section of the EA:

Ballard, W.B., T.H. Spraker and K.P. Taylor. 1981. Causes of neonatal moose calf mortality in South Central Alaska. *Journal of Wildlife Management*. 45:2 335 – 342

Franzmann, A.W., C.C. Schwartz and R.O. Peterson. 1980. Moose calf mortality in summer on the Kenai Peninsula, Alaska. *Journal of Wildlife Management*. 44:3 764 - 768.

Boutin, Stan. 1992. Predation and moose population dynamics: A critique. *J. Wildlife Management*. 56:1 116-127.
9. Page 44, 3.6.3 Moose Harvest History, First Paragraph: No citation was found to substantiate the statement, “*Some predict that most State moose hunting regulations on the Seward Peninsula might need to move to Tier II hunts.*” Therefore, this statement is hereby removed from the EA.



10. Page 54, Last Paragraph, Last Sentence: This sentence is changed to state, “Hunting guides may use private lands for their hunting camps inside Preserve boundaries and may be encouraged to do so where reasonable and allowed pursuant to BIA review for allotments and other pertinent authorities.”
11. Page 68, Effects of Alternative C on Recreational Uses: The conclusion of this section is modified to indicate: “Alternative C would have an observable effect on recreational uses in the Preserve from the addition of 20 guided hunters over 2.5 million acres where recreational uses have been sparse, which effect would be minor and adverse to other sport hunters and beneficial to guided hunters.”
12. Page 71, Section 4.4.4 Subsistence Conclusion, Sentence 2: The overall direct and indirect effects of Alternative C (not B as stated in the EA) would be minor to subsistence, and the cumulative effects would also be minor overall.
13. Page 71, Section 4.4.5 Brown Bear, Paragraph 2: The following citation is inserted to substantiate the phrase “GUAs 22-03, 22-06, and 23-07 are thought to have healthy brown bear populations.” (Gorn 2010).

**Table 2.2. Summary of Alternative Impacts**

Alternative A – No Action	Alternative B – Guides in BELA with Overlapping Guiding Units	Alternative C – Guides in BELA with Separate Guiding Units ( <i>NPS Preferred</i> )
Local Employment		
Alternative A would have <i>no effect</i> on project area job opportunities.	Alternative B would have a <i>minor</i> direct and indirect impact, and a small contribution to cumulative effects on job opportunities for the region. The effect would be perceptible, therefore of <i>low intensity</i> ; potentially <i>long-term</i> , and an <i>important</i> (rare) resource consideration in the region.	Alternative C would have a <i>minor</i> impact, and a small contribution to cumulative effects on job opportunities for the region. The effect would be perceptible, therefore of <i>low intensity</i> ; potentially <i>long-term</i> , and an <i>important</i> (rare) resource consideration in the region.
Recreation Use		
Alternative A would have <i>no effect</i> on recreation uses.	Implementation of Alternative B would have a <i>moderate</i> effect on recreation uses because of the observable introduction of up to 30 hunters annually in a previously sparsely used area, and because recreation uses are an important function of the Preserve. There would be a small contribution to cumulative effects to recreation uses, and no other cumulative effects to recreational uses were identified. Effects would be <i>long-term</i> , <i>medium intensity</i> , and affect an <i>important resource</i> .	Implementation of Alternative C would have a <i>moderate</i> effect on recreation uses because of the observable introduction of up to 20 hunters annually in a previously sparsely used area, and because recreation uses are an important function of the Preserve. There would be a small contribution to cumulative effects to recreation uses, and no other cumulative effects to recreational uses were identified. Effects would be <i>long-term</i> , <i>medium intensity</i> , and affect an <i>important resource</i> .
Cultural Resources		
Alternative A would have <i>no effect</i> on cultural resources.	The overall effect to cultural resources, both in traditional uses of the area and in the potential for disturbance to archeological and historical resources would be <i>moderate</i> because of the uniqueness of the resource within the Preserve. Alternative B would add <i>to other</i> cumulative effects such as coastal erosion and vandalism. Effects would be <i>low intensity</i> , <i>long-term</i> , and affect a <i>unique</i> resource.	The overall effect to cultural resources, both in traditional uses of the area and in the potential for disturbance to archeological and historical resources would be <i>moderate</i> because of the uniqueness of the resource within the Preserve. Alternative C would add <i>to other</i> cumulative effects to cultural resources such as coastal erosion and vandalism. Effects would be <i>low intensity</i> , <i>long-term</i> , and affect a <i>unique</i> resource.

Alternative A – No Action	Alternative B – Guides in BELA with Overlapping Guiding Units	Alternative C – Guides in BELA with Separate Guiding Units ( <i>NPS Preferred</i> )
Subsistence		
Alternative A maintains the status quo of subsistence hunting in the Project area, so there is <i>no impact</i> on subsistence resources or uses.	Though Alternative B would have a <i>minor</i> effect for subsistence hunting for muskoxen, brown bears, and caribou; it would have a larger effect on subsistence moose hunters due to competition for moose near Deering. Overall, Alternative B would have <i>moderate</i> direct and indirect effects to subsistence, and a <i>small</i> contribution to cumulative effects. Effects overall would be <i>low intensity, long-term</i> , and affect a <i>common</i> resource.	Alternative C would have a <i>minor</i> effect for subsistence hunting for muskoxen, brown bears, moose, and caribou. Overall, Alternative C would have <i>minor</i> direct and indirect effects to subsistence due to a reduction in potential guides in the same unit, which would minimize conflicts. Alternative C would have a <i>minor</i> contribution to cumulative effects. Effects overall would be <i>low intensity, long-term</i> , and affect a <i>common</i> resource.
Wildlife		
Alternative A would maintain the status quo of current sport and subsistence hunting in the Project area, so there would be <i>no impact</i> on wildlife.	The effect of Alternative B on wildlife varies by species. The direct and indirect effects would be <i>minor</i> for muskoxen and caribou, and <i>moderate</i> for moose and brown bears. There would also be a <i>minor</i> contribution to cumulative effects for caribou and muskox and a moderate contribution to cumulative effects for brown bear and moose.	The effect of Alternative C on wildlife varies by species. The direct and indirect effects would be <i>minor</i> for muskoxen, and caribou, and <i>moderate</i> for moose and brown bear. There would also be a <i>minor</i> contribution to cumulative effects for muskoxen and caribou, and a moderate contribution to cumulative effects for moose and brown bear.

## **APPENDIX C**

### **DETERMINATION OF NON-IMPAIRMENT**

A determination of non-impairment is made for each of the impact topics carried forward and analyzed in the environmental assessment (EA) for the National Park Service (NPS) selected alternative, except those topics for which an impairment finding is not needed. The NPS selected alternative is alternatives C in the EA, which would established up to three hunting guide concessions in separate guide areas of the Bering Land Bridge National Preserve. The proposed action would limit the average annual number of clients to 20 or 200 over the 10-year contract period.

Preserve purposes and significance (as presented in ANILCA Section 201 (2) and other sections, the Bering Land Bridge National Preserve General Management Plan of 1986, and the area's Foundation Statement of 2009) are presented in Chapter 1 of the EA and was used as a basis for determining if a resource is:

- Necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the affected NPS areas in Alaska, or
- Key to the natural or cultural integrity of the NPS areas in Alaska or to opportunities for enjoyment of the areas, or
- Identified in the NPS area general management plans or other relevant NPS planning documents as being of significance.

Impairment findings are not necessary for visitor experience, socio-economics, public health and safety, environmental justice, land use, and park operations because impairment findings relate back to park resources and values. These impact areas are not generally considered to be area resources or values according to the Organic Act, and cannot be impaired the same way that an action can impair park resources and values. For this EA the NPS area resources and values subject to the impairment analyses are: wildlife and their habitat (particularly big game) and cultural resources.

## IMPACT TOPICS

### Wildlife/Habitat

ANILCA Titles I and II provide for the maintenance of sound populations of, and habitat for, numerous specified wildlife species of inestimable value to the citizens of Alaska and the Nation. ANILCA Section 201(2) established Bering Land Bridge National Preserve

“... shall be managed for the following purposes, among others: To protect and interpret examples of arctic plant communities, ... ; to protect habitat for internationally significant populations of migratory birds; *to provide for archeological and paleontological study, in cooperation with Native Alaskans*, of the process of plant and animal migration, including man, between North America and the Asian Continent, *to protect habitat for, and populations of, fish and wildlife including, but not limited to, marine mammals, brown/grizzly bears, moose and wolves*; subject to such reasonable regulations as the Secretary may prescribe, to continue reindeer grazing use, including necessary facilities and equipment, within the areas which on January 1, 1976, were subject to reindeer grazing permits, in accordance with sound range management practices; *to protect the viability of subsistence resources; and in a manner consistent with the foregoing, to provide for outdoor recreation and environmental education activities including public access for recreational purposes to the Serpentine Hot Springs area. ....*”

(Emphasis added). The highlighted text identifies the key issues for this EA and impairment analysis. Furthermore, all NPS lands in BELA are open to subsistence uses and to sport hunting pursuant to ANILCA Sections 203 and 1313, unless restricted by federal or state regulation.

The EA in chapter 3 describes known information on wildlife population status and trends in the affected area, hunting history, and harvest records for big game species of interest: brown bear, caribou, moose, and muskoxen. Brown bear populations appear to be healthy, though no population surveys have been conducted since the 1990s. Moose populations have stabilized and appear to be increasing in some subunits of the Seward Peninsula. Caribou have migrated into the eastern and northern parts of BELA such that most reindeer herds in the area have been swept away with the migrating caribou. Muskoxen were reintroduced to the Seward Peninsula after ANILCA, and the population swelled to about 3,000 animals in recent years, but a precipitous drop to about 1,500 muskoxen in the last couple of years has resulted in a severe reduction in opportunities to hunt muskoxen. If any of these big game populations are observed to approach unacceptable population demographics, then the State, NPS, or both would take appropriate action to prevent overharvest of these species, as the State has recently demonstrated with reduced numbers and access to muskoxen permits. The potential for adverse impacts of Alternative C to wildlife and their habitat is judged to be no more than minor for muskoxen and

caribou and moderate for moose and brown bear. Therefore, the NPS selected alternative would not result in impairment to wildlife or habitat.

### **Cultural Resources**

Up to 20 guided hunters to the Preserve on average each year could result in a low risk of disturbance to previously identified and undetected archeological and historical sites. Because alternative C authorizes guides to use separate guide areas, the risk of disturbance is more evenly distributed across the Preserve. Because restrictions of use by guides and their clients in the Serpentine Hot Springs area, impacts to cultural resources in the Iyat traditional cultural use area would not be adversely affected. The potential impacts to cultural resources are judged to be moderate because of the uniqueness of the resources within the Preserve and any impacts to these resources would be long-term or permanent. Nevertheless, the impacts to these important cultural resources would not result in impairment because the risk is low from the limited numbers of guided hunters and support staff expected in the majority of the Preserve area.