

Alaska Lands Update

monthly updates on Federal management actions for the people of Alaska

Kodiak Brown Bear in Dog Salmon Creek
Photo Credit: USFWS



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

90-Day Finding on a Petition To List the Prince of Wales Flying Squirrel as Threatened or Endangered

The U.S. Fish and Wildlife Service (Service) has announced a 90-day finding on a petition to list the Prince of Wales (POW) flying squirrel (*Glaucomys sabrinus griseifrons*) as an endangered or threatened species under the Endangered Species Act of 1973, as amended (Act), and to designate critical habitat. Based on the review, the agency found that the petition did not present substantial information indicating that listing this subspecies may be warranted. Therefore, the agency is not initiating a status review in response to this petition. However, the agency has asked the public to submit any new information that becomes available concerning the status of,



or threats to, the Prince of Wales flying squirrel or its habitat at any time. This finding, complete with citations, is available on the Internet at <http://www.regulations.gov> at Docket Number FWS-R7-ES-2012-0062.

On October 6, 2011, the Service received a petition, dated September 30, 2011, from Mark N. Salvo, WildEarth Guardians, requesting that the POW flying squirrel be listed as an endangered or threatened species and that critical habitat be designated under the Act. In a December 20, 2011, letter to petitioner, the Service responded that it reviewed the information presented in the petition and determined that issuing an emergency regulation temporarily listing the species under section 4(b)(7) of the Act was not warranted. The Service also stated that when budget and workload enabled it to direct resources to the petition, it would make an initial find-

ing on whether the petition presented substantial information indicating that the petitioned action may be warranted. The Service received funding in January 2012. This finding addresses the petition. There

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The Fish and Wildlife Service Handbook on Strengthening Relationships with 'Friends'

The Community Partnership *Conserving the Future* vision implementation team is creating a "handbook" to guide Fish and Wildlife Service staff in strengthening relationships with volunteers, Friends and community partners. The team has prepared a draft outline of the handbook, and is looking for comments on any important topics that may have been missed and what topics may not be needed, as well as any suggestions on organization and delivery of the handbook. Please go to AmericasWildlife.org and submit your comments by September 7, 2012, by joining the Community Partnerships group on AmericasWildlife.org, direct email to conservingthefuture@fws.gov, or sending a hard copy of comments to: U.S. Fish & Wildlife Service, NWRS-DVSC, Suite 634, 4401 North Fairfax Drive, Arlington, VA 22203 Attn: Vision Implementation Coordinator. ♦

The Arctic Village Sheep Management Area in Unit 25A is Closed to Sheep Hunting, Except by Federally Qualified Subsistence Users

If you are planning to hunt sheep in Unit 25A, please be aware that, under Federal subsistence regulations, the entire Arctic Village Sheep Management Area, which lies west and north of Arctic Village in Unit 25A, is closed to sheep hunting from August 10 to April 30, except by federally qualified subsistence users. Federally qualified subsistence users include residents of Arctic Village, Venetie, Fort Yukon, Kaktovik, and Chalkyitsik. A Federal registration permit is required to participate in this hunt.

A map depicting the Arctic Village Sheep Management Area can be viewed at the Arctic National Wildlife Refuges website at: <http://arctic.fws.gov/pdf/sheep25a.pdf>. The Federal subsistence regulations for Unit 25, including a map of Unit 25, are available on the web at <http://alaska.fws.gov/asm/pdf/wildregs12/unit25.pdf>.

For more information on sheep hunting in Unit 25A, please contact Vince Mathews at (907) 455-1823 or email: Vince.Mathews@fws.gov. Information on the Federal Subsistence Management Program can be found at <http://alaska.fws.gov/asm/home.html>. ♦

Comment Deadline Reminders

- BLM Alaska **Eastern Interior Resource Management Plan** comment deadline extended pending the release of supplemental documents. Check BLM Alaska's website at <http://www.blm.gov/ak> for more information.

Simplifying the Review Process for Critical Habitat Proposals under the Endangered Species Act

The U.S. Fish and Wildlife Service (Service) and the National Oceanic Atmospheric Administration's (NOAA) Fisheries Service (the Services), the two Federal agencies responsible for administering the Endangered Species Act (ESA), jointly announced on August 23, 2012 a proposal to simplify and clarify the process through which impact analyses are conducted for designations of critical habitat under the ESA.

The proposal was first outlined in a Presidential Memorandum seeking to improve transparency and public comment by providing the public access to both the scientific analysis and the draft economic analysis of a proposed critical habitat designation at the same time. The proposed rule is also consistent with Executive Order 13563, which calls for a retrospective analysis of existing rules to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives.

"The Fish and Wildlife Service makes sound, science-driven decisions promoting successful conservation and recovery efforts for threatened and endangered species under the Endangered Species Act," said FWS Director Dan Ashe. "By improving the clarity and consistency of our regulations, we can continue to increase the effectiveness and efficiency of the ESA."

The proposed rule is now be available for public comment for 60 days. For more background about the proposal, visit online at: <http://www.fws.gov>

[endangered/improving_ESA/CH_Econ.html](http://www.fws.gov/endangered/improving_ESA/CH_Econ.html). If the proposed rule is finalized, the Services will implement the changes after the effective date. Proposed critical habitat designations that are published prior to the effective date of any final regulation will continue to follow current practices.

Written comments and information concerning this proposal must be submitted by using the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket No. [FWS-R9-ES-2011-0073]; or by U.S. mail or hand delivery to: Public Comments Processing, Attn: [FWS-R9-ES-2011-0073]; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

Comments must be received on or before October 23, 2012. The Services will post all comments on <http://www.regulations.gov>. This generally means any personal information provided through the process will be posted.

America's fish, wildlife and plant resources belong to all of us, and ensuring the health of imperiled species is a shared responsibility. To learn more about the Service's Endangered Species program, go to <http://www.fws.gov/endangered/>. ♦

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/>

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Commission Staff

Stan Leaphart
Executive Director
907-374-3737

stan.leaphart@alaska.gov

Karrie Improte
Commission Assistant
907-451-2035

karrie.improte@alaska.gov

For more information, visit our website:

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.



Top Scientists Examine Resource Stewardship in National Parks

The results of a 12-month effort by a panel of independent scientists to examine resource management in the national parks was delivered to National Park Service Director Jonathan B. Jarvis on August 24, 2012. Jarvis requested the report from the National Park System Advisory Board as one of 36 actions announced last year in "A Call to Action," the National Park Service's plan to prepare for its centennial in 2016 and its second century of stewardship. The independent science committee report is one of the first tasks completed. Read "A Call to Action" at <http://www.nps.gov/calltoaction/>.

The science committee's report, "Revisiting Leopold: Resource Stewardship in the National Parks", revisits the 1963 Leopold Report written by A. Starker Leopold, a prominent biologist and the son of conservation legend Aldo Leopold. The report set the National Park Service on a course of science-based management of its wildlife populations.

"The Leopold Report has guided our management of natural resources for 50 years," Jarvis said, "and while still valid in many ways, it needed to be revisited in light of the growing impacts of environmental change and human influences that we are experiencing in national parks and expanded to include the stewardship of cultural and historic resources.

The 16 page report can be found at http://www.nps.gov/calltoaction/PDF/LeopoldReport_2012.pdf.

One of the committee's key recommendations is that the National Park Service should steward its resources for continuous change to preserve ecological integrity and cultural and historical authenticity; provide visitors with transformative experiences and form the core of a national conservation land- and seascape.

"The scientists who worked on this project gave generously of their time and wisdom and I thank them for their extraordinary contributions that will inspire serious discussions of the stewardship challenges we face. Their thoughtful advice and the leadership of Advisory Board Chairman Tony Knowles is much appreciated," Jarvis said.

Jarvis asked committee members to answer three questions: What should be the goals of resource management in the national park system? What policies are necessary to reach those goals? What actions are necessary to implement those policies?

More information on this and other National Park Service News can be found at <http://www.nps.gov/index.htm>. ◆

National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule

The National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule will meet in Washington, DC. The committee operates in compliance with the Federal Advisory Committee Act. The purpose of the committee is to provide advice and recommendations on the implementation of the National Forest System Land Management Rule. The meeting is open to the public. The purpose of the meeting is to perform administrative tasks such as ethics training, Federal Advisory Committee Act training, and establishing committee operating procedures. Another objective of the meeting is to define areas where the committee can provide the most valuable input and recommendations for implementation of the new planning rule.

The meeting will be held on September 11-13, 2012, from 9:00 a.m. to 5:00 p.m., Eastern Time.

For additional information contact Jennifer Helwig, Ecosystem Management Coordination, 202-205-0892, jahelwig@fs.fed.us.

Meeting information, agenda, comment instructions and a summary of the meeting can be found on the Planning Rule Advisory Committee Web site at <http://www.fs.usda.gov/main/planningrule/> ◆



Amended Environmental Impact Statement Filing System

On October 7, 1977, the Council of Environmental Quality (CEQ) and the Environmental Protection Agency (EPA) signed a Memorandum of Agreement (MOA) that allocated the responsibilities of the two agencies for assuring the government-wide implementation of the National Environmental Policy Act of 1969 (NEPA). Specifically, the MOA transferred to EPA the administrative aspects of the environmental impact statement (EIS) filing process. The EPA can issue guidelines to implement its EIS filing responsibilities. The guidelines published in the **Federal Register** on August 24, 2012, Vol. 77, No. 165, update the previous guidelines, which were first published in the **Federal Register** on March 7, 1989. These updated guidelines have been modified to incorporate changes necessary to implement the *e-NEPA* electronic filing system.

Federal agencies are required to prepare EISs in accordance with 40 CFR part 1502, and to file the EISs with EPA as specified in 40 CFR 1506.9. As of October 1, 2012, Federal agencies file an EIS by submitting the complete EIS, including appendices, to EPA

through the *e-NEPA* electronic filing system. Filed EISs are retained in the *e-NEPA* Filing system for two years. After two years the EISs are sent to the National Records Center. After a total of twenty (20) years the EISs are transferred to the National Archives Records Administration (NARA). Please note that EPA maintains a Web site that will make available copies of the filed EISs to the public. The retention schedule does not affect the availability of these electronic copies.

Starting October 1, 2012, EPA will not accept paper copies or CDs of EISs for filing purposes. All submissions on or after October 1, 2012 must be made through *e-NEPA*. While this system eliminates the need to submit paper or CD copies to EPA to meet filing requirements, electronic submission does not change requirements for distribution of EISs for public review and comment. Section 309 (a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <http://www.epa.gov/compliance/NEPA/eisdata.html>. ◆

90-Day Finding on a Petition To List the Prince of Wales Flying Squirrel as Threatened or Endangered (continued)

(continued from page 1) are no previous Federal actions concerning the status of the Prince of Wales Flying squirrel under the Act.

The POW flying squirrel is a small (4.6 ounces [130 grams]), nocturnal, non-hibernating, arboreal rodent that is endemic to the southern part of the Alexander Archipelago in Southeast Alaska. It occurs on at least 11 islands, including POW. These islands are part of a larger group often referred to as the POW Complex. The distinctness of the POW flying squirrel as a subspecies is well documented. In recent years, data have confirmed that the POW flying squirrel is genetically distinct, and there is no information regarding population size or trend of the POW flying squirrel within any parts of its range. The POW flying squirrel relies less on truffles and feeds on a greater diversity of food items than other subspecies of northern flying squirrel. Having a far less specialized diet than the northern flying squirrels of the Pacific Northwest likely allows them to utilize a greater diversity of forested habitats, especially when coupled with the absence of competition with the red squirrel. The POW flying squirrel occupies a variety of forested habitats to meet its life-history needs, the persistence of squirrels, especially in a managed landscape, relies heavily on their ability to disperse to suitable habitats. Flying squirrels can glide from one tree to another or can walk or run on the ground, biologist speculate that ground travel is more energetically costly than gliding. High forest canopies and relatively open under- and mid-story layers provide squirrels with high launch points and unobstructed gliding space, both of which allow for longer glides and less energy expenditure. Flying squirrels will glide across a distance that is twice as long as the height of their launch.

Section 4 of the Endangered Species Act, and its implementing regulations, set forth the procedures for adding a species to, or removing a species from, the Federal Lists of Endangered and Threatened Wildlife and Plants. A species may be determined to be an endangered or threatened species due to one or more of the five factors: (A) The present or threatened destruction, modification, or curtailment of its habitat or range; (B) Overutilization for commercial, recreational, scientific, or educational purposes; (C) Disease or predation; (D) The inadequacy of existing regulatory mechanisms; or (E) Other natural or manmade factors affecting its continued existence. In considering what factors might constitute threats; the Service must look beyond the mere exposure of the species to the factor to determine whether the species responds to the factor in a way that causes actual impacts to the species. If there is exposure to a factor, but no response, or only a positive response, that factor is not a threat. If there is exposure and the species responds negatively, the factor may be a threat and the Service then attempts to determine how significant a threat it is. If the threat is significant enough that it may drive or contribute to the risk of extinction of the species such that the species may warrant listing as a threatened or endangered species as those terms are defined by the Act, this does not necessarily require empirical proof of a threat.

In summary, the petition does not present substantial information that listing may be warranted. The POW flying squirrel is a habitat opportunist that occupies a diversity of forested habitats, eats a variety of food items, moves among remnant forest patches, and disperses successfully across the landscape. In the absence of population trend of the POW flying squirrel, the Service determined the petitioner relied heavily on a presumption of dependency of this species on old-growth habitats and its inability to disperse across the forest openings caused by clear cuts. The Service found most of the information to be speculative or unsubstantiated even when augmented with the information in its files. This is especially true when considering the protections afforded the POW flying squirrel under the conservation strategy outlined in the Tongass Land Management Plan. Neither the information in the petition nor the information available in the agency's files suggest that the Prince of Wales flying squirrel may be in danger of extinction or likely to become so now or in the foreseeable future. Under section 4(b)

(3)(A) of the Act, the Service concluded that the petition does not present substantial scientific or commercial information to indicate that listing the Prince of Wales flying squirrel under the Act as a threatened or endangered species may be warranted at this time. Although the Service will not review the status of the species at this time, the agency encourages interested parties to



continue to gather data that will assist with the conservation of the Prince of Wales flying squirrel. If you wish to provide information regarding the Prince of Wales flying squirrel, you may submit your information or materials to the Field Supervisor, Juneau Fish and Wildlife Field Office, at any time.

Please see docket number 2012-21232 at <http://www.regulations.gov/>, the Website for the Federal Register for the Proposed Rule full text complete with citations. For more information on this proposed rule contact Bill Hanson, Field Office Supervisor, of the Juneau Fish and Wildlife Field Office by telephone 907-780-1160. ◆