



Public Employees for Environmental Responsibility

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December 29, 2015

Ms. Mary Kendall
Deputy Inspector General
U.S. Department of Interior
1849 C Street, NW
Mail Stop 4428
Washington, DC 20240

Re: Request for Review of Cabin Construction in Tetlin National Wildlife Refuge

Dear Ms. Kendall:

I am writing on behalf of Public Employees for Environmental Responsibility (PEER) to seek your office's review of what appears to be an illegal construction project on the Tetlin National Wildlife Refuge (NWR) in Alaska that started in October of 2014 and continued until August of 2015. Specifically, the Refuge Manager Shawn Bayless authorized construction of a cabin on Stuver Lake, nominally as an adjunct for scientific research, but, in reality, its intended use is as a base for moose hunting on the refuge by private guests.

Besides the expenditure of approximately \$50,000 to construct the cabin, the project entailed building a 22-mile trail which involved felling an unknown number of trees.

The refuge already had four other cabins located on lakes. The Refuge Manager disingenuously claimed that this fifth cabin was needed to further research supporting management of lynx on the refuge. However, in response to a Freedom of Information Act (FOIA) request from PEER, the refuge was unable to produce any documents supporting any linkage to lynx or explaining why this particular location at Stuver Lake cabin, out of the refuge's total of 682,604 acres, had any connection to lynx.

Instead, the cabin was used by private individuals as a base for moose hunting.

In our FOIA request, we specifically asked for, among other things, the visitor guest log for the cabin. Yet, the Fish & Wildlife Service (FWS) Alaska Region (Region 7) declined to produce these records, but stated instead that it was only "available to the public for emergency use." (See attached FWS November 23, 2015 reply)

Curiously, FWS claimed that although this “administrative field camp” which may only be used by the public for “emergency use”, the cabin may also be reserved per a “public use cabin reservation protocol.” Nothing in the materials supplied by FWS rationalize this oxymoronic suggestion that a cabin limited to emergency use could also be reserved in advance by members of the public, presumably for recreational activities.

In addition, FWS was unable to identify any records documenting compliance with the National Environmental Policy Act and the National Historic Preservation Act for this construction project. Nor was it able to identify any records documenting how the cabin location and trail route was selected. In addition, Region 7 had no record that it either approved the construction or was even aware of it.

Further, FWS disputes the representation that a trail was routed to the cabin, stating that it is “an unimproved, marked route.” The agency does not, dispute, however, that trees were cut down to clear the route. Nor does it dispute that the trail or route exceeds twenty miles.

Human activity on a unit of the National Wildlife Refuge System requires a “Compatibility Determination” under the terms of the National Wildlife Refuge System Improvement Act of 1997. In response to our FOIA request, FWS Region 7 indicated that the Compatibility Determination required for this project was the one for “Scientific Research.” Tellingly, this Compatibility Determination includes the caveat that:

“12. Construction of cabins or other permanent structures is prohibited.”

Moreover, FWS was unable to point to any document describing the scientific research activities to be conducted at this cabin.

Indeed, claims by the Refuge Manager that the cabin was intended to support scientific wildlife management denotes an attempt to evade applicable laws, regulations and policies. Moreover, as indicated by its FOIA response, FWS Region 7 officials appear to be attempting to condone this noncompliant project after-the-fact by claiming the cabin is an “administrative field camp” whose use is limited to “refuge staff or other authorized personnel for administration of the refuge.” Yet, FWS identifies no activities facilitated by this cabin which further the administration of the refuge.

Therefore, we are asking your office to investigate what appears to be an illegal construction project on wilderness eligible lands on Tetlin NWR. In addition, we would ask you to determine whether responsible Region 7 officials were derelict in their oversight responsibilities.

The now infamous “Bridge to Nowhere” earmark in Alaska significantly informed the public about dysfunction in the U.S. Congress. So, too, this “Cabin in Nowhere” could have a similar effect on public understanding of National Wildlife Refuge System operations.

If you have any questions about this request or desire any additional information, please contact me at (202) 265-PEER. Thank you, in advance, for your consideration of this request.

Cordially,

Jeff Ruch
Executive Director