

## Compatibility Determinations

### COMPATIBILITY DETERMINATION

**Use:** Recreational Fishing (wildlife-dependent recreation)

**Refuge Name:** Alaska Peninsula and Becharof National Wildlife Refuges, King Salmon, Alaska

#### **Establishing and Acquisition Authority(ies)**

In 1978, President Jimmy Carter established the 1,157,000-acre Becharof National Wildlife Monument with Presidential Proclamation 4613. The monument was established from lands in the public domain to protect the area, notably the unique brown bear denning islands in the Island Arm area of Becharof Lake.

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) (§302) established the Alaska Peninsula National Wildlife Refuge and changed the Becharof National Wildlife Monument to a national wildlife refuge as part of the National Wildlife Refuge System. ANILCA (§303[1]) created the Alaska Maritime National Wildlife Refuge by redesignating 11 pre-existing refuges as units of the new refuge and by adding other public lands on islands, islets, rocks, reefs, spires, and designated capes and headlands in the coastal areas and adjacent seas of Alaska.

In 1983, the U.S. Fish and Wildlife Service (Service) decided to manage the Ugashik and Chignik units of Alaska Peninsula Refuge, the 9,900-acre Seal Cape area of Alaska Maritime Refuge, and Becharof Refuge as a “complex” because they shared resources and resource issues. Distance and weather create barriers to managing the Pavlof and North Creek units from the King Salmon office, and management of these units was shifted to the Izembek Refuge.

The Becharof Wilderness Area of the Becharof Refuge was designated in 1980 by ANILCA (§702 [4]).

#### **Refuge Purpose(s)**

ANILCA sets out the purposes for each refuge in Alaska. The purposes of the Alaska Peninsula and Becharof National Wildlife Refuges are described in Section 302(1)(B) and Section 302(2)(B). Purposes for the Alaska Maritime National Wildlife Refuge are described in Section 303(1)(B). The purposes identify the reasons why Congress established the Refuges and management priorities.

The ANILCA purposes are follows (unless otherwise noted, the purposes apply to all units of the Refuges):

- to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to . . .  
[Becharof] . . . brown bears, salmon, migratory birds, the Alaska Peninsula Caribou herd, and marine birds and mammals

[Alaska Peninsula] . . . brown bears, the Alaska Peninsula caribou herd, moose, sea otters and other marine mammals, shorebirds and other migratory birds, raptors, including bald eagles and peregrine falcons, and salmonids and other fish

[Alaska Maritime] . . . marine mammals, marine birds and other migratory birds, the marine resources upon which they rely, bears, caribou and other mammals

- to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats
- to provide, in a manner consistent with the purposes set forth above, the opportunity for continued subsistence uses by local residents
- [Alaska Maritime] to provide, in a manner consistent with the purposes set forth above, a program of national and international scientific research on marine resources
- to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth above, water quality and necessary water quantity within the refuge

[Supplemental Purposes of the Becharof Wilderness Area] The Wilderness Act of 1964 (16 U.S.C. 1131-1136 § 2a), defines supplemental purposes of all designated wilderness areas. These apply to the Becharof Wilderness Area and are as follows:

- to administer the wilderness for the use and enjoyment of the American people in such a manner as will leave it unimpaired for future use and enjoyment as wilderness, to provide for the protection of the area, for the preservation of its wilderness character, and for gathering and dissemination of information regarding its use and enjoyment as wilderness.

### **National Wildlife Refuge System Mission**

The mission of the National Wildlife Refuge System is “to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans” (National Wildlife Refuge System Administration Act of 1966, as amended [16 U.S.C. 668dd-668ee]).

### **Description of Use(s)**

The Alaska Peninsula is world-renowned for its recreational fishing and provides excellent opportunities to catch a number of fish species. Angling opportunities include fishing for five species of Pacific salmon native to Alaska, rainbow trout, lake trout, Arctic grayling, Arctic char, Dolly Varden, burbot, and northern pike. Recreational fishing on the Refuges predates refuge establishment and has continued since their establishment in 1980. Recreational fishing is a wildlife-dependent priority public use (National Wildlife Refuge System Improvement Act of 1997, as amended, § 5C). Associated activities such as camping, backpacking, and hiking are also considered part of wildlife-dependent fishing activities.

Recreational settings on the refuges are remote and inaccessible by road. Traditional forms of access for all areas on the Refuges include fixed-wing aircraft, motorboats, snowmachines, off-road vehicles (on designated trails within the Yantarni Moderate Management Area), nonpowered boats, foot, and other nonmotorized means. However,

the vast majority of refuge visitors participating in the subject activities access the Refuges by commercial air taxis. The most common means of access by the relatively few recreational users not using commercial transporters is via private aircraft and boats. Helicopters, jet-powered watercraft, and use of airboats are specifically excluded from this evaluation.

Recreational fishing use patterns are estimated primarily from direct observation by refuge staff and from annual reports provided by air-taxi operators because they transport nearly all recreational anglers to locations on the Refuges. Air-taxi operators provide information on their clients, including primary activity, location, length of stay, group size, and related information.

Most recreational fishing occurs from May through October. Timing depends on the fish migrations and State fishing regulations.

The most popular destinations on the Refuges for unguided recreational fishing include the Ugashik Narrows, Egegik River at Becharof Outlet, both King Salmon rivers, Ruth River, and Featherly Creek. From 1993 through 1997, angler use appeared to be stable at about 50 trips per year, or between 500 and 1,000 visitor days annually. Recently, the number of fishing trips has increased, with 80 trips in 1998, 84 trips in 1999, and 108 trips in 2000. In 2000, this included 267 anglers visiting the Refuges, not including the very limited number who accessed the Refuges by private means of transportation. With most trips being day trips, the number of actual visitor days has increased only slightly, if at all, from the mid-1990s.

### **Availability of Resources**

Adequate refuge personnel and base operational funds are available to manage wildlife-dependent recreational fishing activities at existing and projected levels. Administrative staff time (10–20 staff days) primarily involves phone conversations, written correspondence, personal interaction with visitors at the visitor center, and entering activity data into a database. Field work associated with administering the program primarily involves conducting law-enforcement patrols (as many as 15 staff days) via aircraft and boats to increase recreational users' compliance with state and federal regulations and to foster respect for local residents' activities and property.

### **Anticipated Impacts of the Use(s)**

Comprehensive state and federal regulations continually evolve to respond to fishery management needs. Regulations, combined with law-enforcement efforts of state and refuge personnel, minimize impacts of recreational fishing to other users and resources. Although potential impacts on refuge resources and/or other refuge users are more likely at several popular use areas such as the Island Arm area of Becharof Lake, Ugashik Narrows, the Egegik River, and Becharof Lake outlet, they are still below levels that would cause population, genetic, or natural diversity changes.

Recreational fishing activities may, in some cases, result in some competition or interference with subsistence users and/or other refuge users for limited resources or preferred campsites and use areas (see following discussion). However, both the Federal Subsistence Board and Alaska Board of Fisheries regularly adopt regulations in response to fish population levels and management needs to reduce impacts to these resources and

to the opportunity for continued subsistence uses of these species by local residents. In recent years, these boards have made numerous regulations to address the Refuges' fish and resource management needs. The refuge has imposed permit restrictions on commercial transporters in recent years to address various concerns. Regulations have also been implemented by the State of Alaska in recent years to address fishery resource concerns at specific refuge locations, including the Ugashik Narrows and the Egegik River. The Refuges and the King Salmon Fishery Resources Office have conducted creel surveys and established public-use monitoring camps at both of these sites to collect information on the amount of fishing pressure at these locations. Continued monitoring of angler use and its effect at key sites is planned. New information will be used to evaluate compatibility as part of the adaptive-management process.

The estimated harvest of fish resources is well within the limits established in Alaska Department of Fish and Game and Refuge management plans. Past impact evaluations and studies have focused primarily on impacts to Arctic grayling in the Ugashik lakes and Becharof Lake systems and to rainbow trout in the King Salmon River system (Becharof Refuge). Recent studies of rainbow trout demonstrate that this population is healthy and has not been adversely impacted by current levels of fishing pressure. The depressed Arctic grayling population in the Ugashik system has been shown to be recovering under restrictive regulations established by the Board of Fisheries to address the problem.

Refuge officers and state Bureau of Wildlife Enforcement State Troopers routinely patrol the Refuges to increase compliance with state and federal regulations and permit conditions.

The vast majority of recreational anglers access the Refuges by means of commercial air taxis, which predominantly land on lakes and rivers with float-equipped aircraft. Impacts associated with transporter access are discussed in a separate compatibility determination specific to that use. Although the limited number of recreational anglers who access the refuges by means of personal transport also use float planes, use of wheeled planes and boats is more common. Because of river access by boats, types of landing areas being used by aircraft, and the relatively low overall levels of use and access, impacts to refuge habitat are minimized. A potential impact or threat associated with floatplane access is the introduction of invasive species carried in on the aircraft floats, although this is not known to have occurred on the Alaska Peninsula to date. Wheeled planes land on existing un-maintained landing strips, gravel bars, and unvegetated sand and cinder blows. Occasionally, landings are made on vegetated lowland tundra, usually with Piper Super Cubs or other light aircraft equipped with tundra tires. Disturbance to vegetation is minimal and short-term unless repeated landings are made in exactly the same location, which has not been observed to happen. Temporary displacement and/or disturbance to wildlife can occur during take-offs and approaches to landings. There are no known long-term impacts to refuge wildlife populations from this disturbance.

The use of off-road vehicles, for other than subsistence purposes, is prohibited on the Refuges except on three designated trails in the Yantarni Moderate Management Area. Regulations promulgated in 1995 allow three- or four-wheeled vehicles with a gross weight of 650 pounds or less to be used on these trails. The use of off-road vehicles on these trails by nonlocal or unguided recreationists is not known to have occurred in the

past. Very little future use is anticipated because of the expense of transporting off-road vehicles to this very remote location. Even if future use were to occur at moderate levels, there is little potential for soil and other resource damage because the trails are located on existing gravel roads and the airstrip (with the exception of a short stretch where the airstrip has been naturally eroded away by a change in course of a nearby stream).

Impacts concerning the Refuges' purpose—"to provide, in a manner consistent with the other refuge purposes, the opportunity for continued subsistence uses by local residents"—has been and must continue to be carefully addressed. An issue continually expressed by local subsistence users is conflict with recreational anglers. Sometimes this deals more with the opportunity to gather, hunt, and fish in preferred ways and at preferred places and times than with the availability of populations of fish, animals, and plants. Available information on recreational use patterns does not provide evidence that overall use is continuing to increase as it was in the 1980s and early 1990s. Use in recent years at most locations is lower than levels present in the mid-1990s.

Observation of and conversations with recreational visitors in the field takes place as part of routine patrols and during site-specific studies such as the public-use and creel surveys conducted in recent years at Ugashik Narrows, Becharof Outlet, and Island Arm.

One site having potential for crowding is Ugashik Narrows, a short stretch of river between the Ugashik lakes on the Alaska Peninsula Refuge. Use at the Narrows fluctuated considerably from 1988 through 1997, with the greatest use occurring in 1994. During 1998 and 1999, use increased, pointing to the area's increasing popularity. Aside from the weather and changes in use patterns at the Ugashik lakes lodges, one of the other factors affecting use at the Narrows may have been state fishing regulations. From 1990 through 1994, the Ugashik drainage was closed to the taking of Arctic grayling. It is currently open only for catch-and-release fishing.

Crowding and use at the Narrows appears to be somewhat self-regulating. Most of the anglers arrive by air taxi (although several lodges access the area by boat); if one or two floatplanes have already landed, late arrivals often continue to other fishing locations. Anglers at the site also appear to be able to space themselves out well because most of the reach can be fished from both sides by anglers using waders. There has been little or no evidence of significant subsistence use at the site during the summer months since the Refuges were established, apparently minimizing the potential for conflict between recreational anglers and subsistence users. However, some local residents have stated that they no longer visit the Narrows when recreational anglers are there because of crowding.

Becharof Outlet, where the Egegik River flows out of Becharof Lake, is another area of concern related to potential conflicts with subsistence users. The Outlet is a 5-mile-long portion of the river that lies partly within Native corporation-owned lands and partly within the Refuges. The area is used by Egegik residents (who travel approximately 30 miles upriver by motorboat) and by recreational anglers (who primarily fly in by airplane). Refuge staff began a monitoring program during the summer of 1999 and continued it through 2000 to study use patterns at the outlet and to identify possible crowding and conflicts. Public use for the years 1999 and 2000 was almost identical; there was little evidence of crowding or conflict during the time of year when most users visit. Most use occurred off the refuge. These results should be viewed tentatively, however,

because the coho salmon runs arrived several weeks later than normal and had below-average numbers in both 1999 and 2000. Midway through the 1999 coho run, the state reduced the daily bag and possession limit from five fish to one; this could have affected some people's decisions to visit. Another consideration is that a state road project employed local residents in Egegik during August 1999 and continued into 2000. In a small community where wage jobs are limited, this could have significantly reduced the number of local people using the area. The Service plans to continue to watch this area to learn more about desired experiences, perceptions of crowding and conflict, and site characteristics.

Recreational fishing occurs to some degree within the designated Becharof Wilderness Area, located in the southeast portion of Becharof Refuge. Fishing streams used within the designated Wilderness Area include primarily a short stretch on upper Gertrude Creek, Bible Creek, Becharof Creek, and Teresa Creek. The current low and projected numbers of anglers and associated activities in the Becharof Wilderness Area do not and should not significantly impact solitude and other wilderness values.

**Public Review and Comment**

The public was invited to comment on this compatibility determination and a number of other determinations during the public review period established for the draft revised Comprehensive Conservation Plan. Public notice of the availability of the draft conservation plan and draft determinations was published in the Federal Register. The draft determinations were also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. No substantive public comments pertaining to this determination were received. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that pertained to the specific uses evaluated in this determination were considered in preparing the final compatibility determination.

**Determination**

Use is Not Compatible

Use is Compatible

**Stipulations Necessary to Ensure Compatibility**

Management direction is provided in the revised Comprehensive Conservation Plan for the Refuges. This directs implementation of the Refuges' fishery management plan and monitoring of wildlife-dependent recreational fishing activities. Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure all fishing activities remain compatible with refuge purposes.

To minimize impacts on refuge lands and resources, law enforcement patrols will routinely be conducted in an effort to maximize compliance with the following policies, rules, and/or regulations:

- All activities will be monitored by the refuge manager to ensure that wildlife-dependent fishing and its effects remain compatible.
- Participants will be monitored to ensure that permitted activities are conducted in compliance with refuge regulations.

- State regulations on season, method of take, and bag limits apply.
- The construction or clearing of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take-off and landing, maintain a minimum altitude of 2,000 feet above ground level.
- Any problem with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game; animals taken in defense of life or property must be salvaged in accordance with state regulations.
- In accordance with the Archaeological Resources Protection Act (16 USC 470aa), the excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
- Construction of cabins or other permanent structures is prohibited.
- The use of helicopters is prohibited unless specifically authorized.

### Justification

All refuge lands in the Alaska Peninsula and Becharof Refuges are open to general public access unless specifically closed. The National Wildlife Refuge System Administration Act of 1997, as amended (§5C), identifies the priority public uses of the System as wildlife-dependent recreation, defined as uses of a refuge involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation. These uses are generally encouraged and receive emphasis in management of public use of the Refuges.

Over the past 24 years, means of access—including airplanes, motorboats, and snowmachines—for traditional activities, as provided by ANILCA and as currently regulated by the Service, have not materially interfered with or detracted from refuge purposes. Should motorized transportation grow to levels where it interferes with refuge purposes, steps would be taken to limit the use.

Recreational fishing is a form of traditional activity that Congress intended to preserve when the Refuges were established by ANILCA. As previously stated, recreational fishing on the Refuges provides the public with high-quality, safe, and unique recreational fishing opportunities found in few places in the world. To reduce impacts to fishery resources and to provide the continued opportunity for subsistence uses of these species by local residents, both the Federal Subsistence Board and Alaska Board of Fisheries regularly adopt regulations in response to fish population levels and management needs. These regulations provide adequate protection for the Refuges' fishery resources, continued subsistence opportunities, and other refuge purposes. After fully considering the impacts of this activity, as described previously in the "Anticipated Impacts" section of this Compatibility Determination, it is my determination that recreational fishing activities on the Refuges do not materially interfere with or detract from the purposes of the refuges or the mission of the National Wildlife Refuge System.

Mandatory 10-Year Re-Evaluation Date (provide month and year for allowed uses only): NA

Mandatory 15-Year Re-Evaluation Date (for priority public uses): January 2020

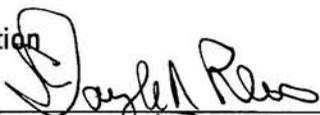
NEPA Compliance for Refuge Use Decision

- Categorical Exclusion without Environmental Action Memorandum
- Categorical Exclusions and Environmental Action Memorandum
- Environmental Assessment and Finding of No Significant Impact
- Environmental Impact Statement and Record of Decision

Supporting Documents

- USFWS. 1994. Final Alaska Peninsula/Becharof National Wildlife Refuge Complex Public Use Management Plan, March 1, 1994. Anchorage, Alaska: U.S. Fish & Wildlife Service
- USFWS. 1994. Decision Notice and Finding of No Significant Impact, Alaska Peninsula/Becharof National Wildlife Refuge Complex Public Use Management Plan, May 12, 1994. Anchorage, Alaska: U.S. Fish & Wildlife Service.
- USFWS. 1994. Compatibility Determination, Final Public Use Management Plan, Alaska Peninsula/Becharof National Wildlife Refuge Complex, May 16, 1994. Anchorage, Alaska: U.S. Fish & Wildlife Service.
- USFWS. 2004. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Alaska Peninsula and Becharof National Wildlife Refuges. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Conservation Planning and Policy.
- Hood, R.E. 1995. "Option for resolution of user conflicts in the Island Arm area of Becharof Lake." Briefing Statement. King Salmon, Alaska: U.S. Fish & Wildlife Service, Alaska Peninsula/Becharof National Wildlife Refuge Complex.

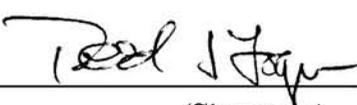
Refuge Determination

Prepared by:  1-31-05  
 (Signature) (Date)

Refuge Manager /  
 Project Leader Approval:  1-31-05  
 (Signature) (Date)

Concurrence

Refuge Supervisor:  3/26/05  
 (Signature) (Date)

Regional Chief,  
 National Wildlife  
 Refuge System:  4/18/05  
 (Signature) (Date)