

## COMPATIBILITY DETERMINATION

**Use:** Recreational Hunting (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 into a national wildlife refuge as part of the National Wildlife Refuge System. ANILCA (§303[1]) created the Alaska Maritime National Wildlife Refuge by re-designating 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 as 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 Section 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 recreational hunting of a number of species. This activity predates refuge establishment and has continued on the Refuges since their establishment in 1980. Activities such as camping, backpacking, hiking, and other incidental uses are associated with wildlife-dependent recreational hunting activities.

The majority of hunting has traditionally been for brown bear, moose, and caribou. To a much lesser extent, wolves, wolverine, waterfowl, and upland birds (primarily willow ptarmigan) are hunted. Because of a decline of the Northern Alaska Peninsula Caribou Herd, the Alaska Board of Game in 1999 adopted a Tier II subsistence hunt for Game Management Unit (GMU) 9E and the southern portion of GMU 9C (all Refuges lands are included within these units). The Federal Subsistence Board subsequently closed all lands within the Refuges to caribou hunting by nonlocal users. Therefore, hunting of caribou by other Alaskans and nonresidents will not be allowed on federal lands within the Refuges until the herd recovers and restrictions are lifted.

The Refuges are remote and not accessible by road. Traditional forms of access include fixed-wing aircraft, motorboats, snowmachines, off-road vehicles, nonpowered boats, dogsled, foot, snowshoe, cross-country skis, and other nonmotorized means. The vast majority of visitors participating in recreational hunting access the Refuges by commercial air taxi. The most common means of access by those few recreational hunters

not using commercial air taxis are private aircraft and boats. Off-road vehicles (ORVs) are only allowed on designated trails within the Yantarni Moderate Management Area. The use by nonlocal or unguided recreationists of ORVs in the Yantarni Moderate Management Area is not known to have occurred. Very little, if any, future ORV use is anticipated because of the expense of transporting ORVs to this remote location. Little cross-country skiing or snowshoeing occurs. Dogsledding as a means of access for recreational activities is not known to have occurred. Use of helicopters, jet-powered watercraft, and airboats is specifically excluded from this evaluation.

Recreational hunting use patterns are estimated primarily from direct observation by refuge staff and from information in annual reports provided by air-taxi operators. Air-taxi operators provide information on primary activity, location, length of stay, group size, and related topics.

Most recreational hunting occurs from May through October. From 1990 through 2004, the total number of air-taxi trips (for all uses) made to the Refuges fluctuated between 140 and 190 per year. The annual number of visitor-use days on the Refuges associated with these trips ranged from 2,000 to 3,000. During the late 1990s, there was a reduction in the numbers of hunters and a shift in the type of hunting occurring on the Refuges, primarily because of the decline in the Northern Alaska Peninsula Caribou Herd and subsequent closure of the recreational hunting season. The closure of King Salmon Air Force Base in the mid-1990s was another contributing factor.

During the 1990s, more trips were for caribou hunting than any other type of recreational hunting. Caribou-bear and bear-only trips were the next most frequent trip types, with just a few moose-only trips taken. Combining other animal hunts with bear or moose hunts may be the primary objective in combined trips, because bear and moose have shorter hunting seasons and provide more demanding hunts. In 1996, about 30 trips were bear only, 25 were caribou only, and 44 were caribou-moose. In 1997, about 40 trips were taken for caribou and the same number for caribou-moose; 30 trips were for caribou-bear. This difference reflects the change in hunting seasons in even and odd years (in even-numbered years, there were no caribou-bear hunts because bear hunting has a spring season only). There are no combination bear-moose hunts because those hunting seasons do not overlap. As stated previously, recreational hunting for caribou is not currently allowed on the Refuges. Air-taxi operators made 70 trips in 1998, 86 trips in 1999, and 81 trips in 2000 to the Refuges for unguided recreational hunting, all decreases from the previous several years. The State of Alaska has harvest information for unguided hunters for GMUs 9C and 9E (which include all Refuges lands), but harvest information for just the refuge is not available except for guided hunting for big-game species. The range of harvested big game on the refuges by guided clients during the period 1993–2003 was as follows: moose (19–41), caribou (10–66, none after 1998), brown bear (27–55), wolves (0–3) and wolverine (0–1).

This is an existing wildlife-dependent, priority public use that occurs throughout the Refuges.

### **Availability of Resources**

Adequate refuge personnel and base operational funds are available to manage hunting activities at existing and projected levels. Administrative staff time (10–20 staff days)

involves phone conversations, written correspondence, personal interaction with visitors at the visitor center, and entering activity data into a database for analysis. Field work associated with administering the activity primarily involves conducting law-enforcement patrols (as many as 20 staff days) via aircraft and boat to increase recreational hunters' compliance with state and federal regulations and to foster respect for local residents' activities and property.

### Anticipated Impacts of the Use(s)

State and federal regulations continually evolve and respond to wildlife management needs. Regulations, combined with law-enforcement efforts of state and refuge personnel, minimize impacts of recreational hunting to wildlife resources, other refuge resources, other refuge users, and wilderness values.

Recreational hunting activities may, in some cases, result in competition for limited resources such as preferred campsites or use areas, or in interference with subsistence users and/or other refuge users. Both the Federal Subsistence Board and the Alaska Board of Game regularly adopt regulations in response to wildlife population levels and management needs to reduce impacts to resources and to support opportunities for continued subsistence uses by local residents. Numerous regulation changes have been made by these boards in recent years to address the Refuges' wildlife resource management needs. In recent years, the Refuges have also addressed concerns with imposed permit restrictions on commercial transporters and reductions in the number of clients for big-game guides.

The estimated harvest of wildlife resources on the Refuges is well within the limits established in various Alaska Department of Fish and Game management plans. Past impact evaluations and studies have focused primarily on impacts to the brown bear, moose, and caribou populations. There have been no documented instances in recent years of defense of life or property (DLP) mortalities of bears by wildlife-dependent recreational users on the Refuges. Displacement of bears from favored feeding streams was demonstrated to be within acceptable limits. Recreational hunting of caribou has been closed, and moose and bear hunting seasons have been adjusted.

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

As stated previously, the vast majority of the recreational hunters accessing the Refuges use commercial air taxis, which predominantly use float-equipped aircraft to land on lakes and rivers. Impacts associated with transporter access are discussed in a separate compatibility determination specific to that use. Although the subject users who access the Refuges by personal transport also use floatplanes, 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 from access are minimal. 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, unmaintained landing strips, gravel bars, and unvegetated sand or cinder blows. Occasionally, landings are made on vegetated lowland tundra by light aircraft equipped

with tundra tires. Disturbance to vegetation is minimal and short-term unless numerous landings are made in exactly the same location (a practice that has not been observed). Temporary displacement and/or disturbance to wildlife can occur during take-offs and 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) by recreational hunters is prohibited on the Refuges except on three designated trails within the Yantarni Moderate Management Area. Regulations promulgated in 1995 allow three- or four-wheeled vehicles having a gross weight of 650 pounds or less on these trails. The trails are on an existing gravel airstrip and roads that were constructed for oil exploration prior to the Refuges' acquisition of the area. The use of off-road vehicles on these designated 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 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 related 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 frequently raised by subsistence users is conflict with recreational hunters. Sometimes this deals more with the opportunity to gather, hunt, and fish in preferred ways and at preferred places and times than it does with the availability of populations of fish, animals, and plants. Available information on recreational use patterns does not provide evidence that overall hunting 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.

Observations of and conversations with recreational hunters in the field takes place as part of routine patrols and during site-specific public-use studies.

A location of concern in recent years has been the Island Arm area of Becharof Lake. In 1993, the Egegik Village Council submitted a proposal to the Federal Subsistence Board to close lands in the Severson Peninsula area of Becharof Lake to the taking of moose and caribou except by qualified rural residents. They stated, "Recreational hunting of moose and caribou in this area is affecting the migration path as well as the availability of caribou for the subsistence user." Although the Federal Subsistence Board rejected the proposal, it directed that the refuge staff monitor hunting activity in the area and develop methods to resolve conflicts. Monitoring during 1994 did not find significant recreational hunting of caribou; however, it did find a high density of recreational hunting (19 camps with 36 hunters) during the September 10–20 state moose season. This recreational effort for moose presented significant competition to qualified rural subsistence hunters. The refuge manager worked with local air-taxi operators to reduce the numbers of recreational moose hunters using the Severson Peninsula area beginning in 1995. Since then, no air-taxi drop-off of moose hunters has been allowed in the area between the Severson Peninsula and the Burls Creek to Bear Creek line and a total of only five camps is allowed during the entire season in the remainder of the Island Arm area.

Recreational hunting occurs to some degree within the designated Becharof Wilderness Area, located in the southeastern portion of Becharof Refuge. The current low and the anticipated amount of recreational hunting and its associated activities in the Becharof Wilderness Area do not and should not significantly affect solitude and other wilderness values.

This existing activity is a wildlife-dependent, priority public use. Recreational hunting occurs throughout the Refuges during state-regulated hunting seasons. The magnitude of use is effectively regulated through state hunting regulations. Monitors will watch for indications of conflict between recreational and subsistence users.

### **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, including implementation of applicable sections of the Refuges' wildlife inventory plan; adequate monitoring of the wildlife-dependent recreational hunting activities will be used to determine what additional management actions, if any, are needed to ensure all hunting 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 regulations:

- All activities will be monitored by the refuge manager to determine if wildlife-dependent recreation uses are within the rates projected by the Plan and EIS.
- Participants will be monitored to ensure that permitted activities are conducted in compliance with refuge regulations.
- State regulations on method of harvest 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 to 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.

### 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, as amended, identifies priority public uses of the System as wildlife-dependent recreation, further 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 for traditional activities, including airplanes, motorboats, and snowmachines, as provided by Alaska National Interest Lands Conservation Act (ANILCA) and as currently regulated by the Service, have not materially interfered with or detracted from refuge purposes. Should motorized means of transportation grow to levels where they interfere with refuge purposes, steps would be taken to bring them under control.

Recreational hunting is a form of traditional activity that Congress intended to preserve with the enactment of ANILCA, which established the refuges. As stated previously, recreational hunting on the Refuges provides the public with high-quality, safe, and exceptional hunting opportunities found few places elsewhere in the world. In response to wildlife population levels and management needs, both the Federal Subsistence Board and the Alaska Board of Game regularly modify regulations to reduce impacts to wildlife resources and to provide the continued opportunity to pursue a subsistence lifestyle. 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 hunting 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. Recreational hunting is a wildlife-dependent priority public use. The use supports refuge goals and objectives.

**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

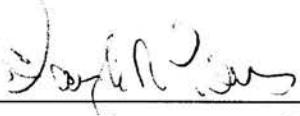
**NEPA Compliance for Refuge Use Decision**

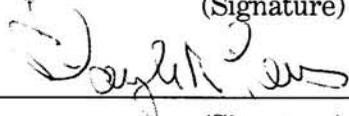
- Categorical Exclusion without Environmental Action Memorandum
- Categorical Exclusions and Environmental Action Memorandum
- Environmental Assessment and Finding of No Significant Impact
- Environmental Impact Statement and Record of Decision

**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 Planning and Policy.
- Hood, R.E. 1995. "Option for resolution of user conflicts in the Island Arm area of Becharof Lake." Briefing Statement, U.S.F.W.S., Alaska Peninsula/Becharof National Wildlife Refuge Complex, King Salmon, Alaska: U.S. Fish & Wildlife Service.

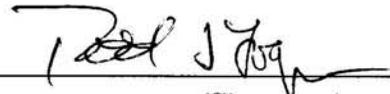
**Refuge Determination**

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)