

COMPATIBILITY DETERMINATION

Use: Subsistence Activities

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 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 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, 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 [16 U.S.C. 668dd-668ee]).

Description of Use(s)

Subsistence activities are an existing use provided for in the Refuge purposes. They occur year-round throughout the Refuges.

Subsistence activities addressed in this document include hunting, fishing, trapping, firewood gathering, berry picking, gathering of other plant materials (e.g., Labrador tea, petruski, wild spinach, grass), and the continued use by authorized permittees of three existing subsistence cabins. It also includes associated means of transport, including fixed-winged aircraft, motorboats, snowmachines, off-road vehicles as defined in refuge-specific regulations, and other traditional nonmotorized surface methods of transportation, including dogsledding, hiking, cross-country skiing, and snowshoeing.

Residents of villages located near the Refuges have lifestyles and economies that depend on subsistence resources. Subsistence activities are not just a way of obtaining food, but are an important mechanism for maintaining cultural values such as kinship, community, respect for elders, hospitality, sharing resources, and the passing of values to younger generations. In addition, many residents in the area prefer the taste of traditional wild foods to commercially purchased foods.

The mainstay subsistence food for the Refuges' nearby communities is salmon, which is obtained by subsistence harvest as well as retained from the commercial catch. All five

species of Pacific salmon native to Alaska are used, although chinook, sockeye, and coho are preferred. Freshwater species—including rainbow trout, Arctic char, Arctic grayling, Dolly Varden, lake trout, burbot, and northern pike—are also used, but to a much lesser extent. The majority of the local villages' subsistence harvest of fish does not occur within refuge waters.

The Northern Alaska Peninsula caribou herd (NAPCH) has provided abundant food to local villages for more than a generation (Krieg et al. 1998; Krieg et al. 1996). Caribou were traditionally the most widely used of the three terrestrial species (moose, bear, and caribou) by residents of the local villages. They were harvested in large quantities, thoroughly used, and widely shared (Fall 1993). During the mid-1990s, 4 to 9 percent of the animals harvested were reported taken within the boundaries of the Refuges; in 1996–1997, none of the five communities with the highest harvest levels (King Salmon, Naknek, South Naknek, Port Heiden, and Pilot Point) reported harvesting caribou from the Refuges. Currently, 40 federal harvest permits (10 percent of the 400 state-issued Tier II permits) are issued to local residents for harvest of NAPCH caribou within the Refuges and on other federal lands.

Although traditionally not used by as many households as is caribou (Krieg et al. 1998; Krieg et al. 1996), moose is another important subsistence species for residents of Alaska Peninsula communities. Data are not available for every year, but in 1995–1996, about 42 moose, which were approximately 36 percent of the moose harvested by local refuge villages, were taken within the boundaries of the Refuges (Krieg et al. 1998; Krieg et al. 1996). Of these, about 75 percent were taken within Alaska Peninsula Refuge boundaries. The number taken within refuge boundaries dropped considerably in 1996–1997, to just 12 moose (all within Alaska Peninsula Refuge boundaries), which represented 19 percent of the total number of moose harvested. The only communities not harvesting significant portions of their moose on the Refuges were King Salmon, Naknek, South Naknek, Pilot Point, and Egegik.

During the most recent years—when brown bear use was studied in detail by the Alaska Department of Fish and Game's Subsistence Division—Chignik Lake, Perryville, and Ivanof Bay were the only three communities that showed much use of brown bear. In 1995–1996, 29 individuals reported hunting brown bear, and 15 were successful; this compares with 19 individuals hunting in 1996–1997, with eight bears being reported as harvested. Most bear hunting took place in Pacific communities in Game Management Unit 9E. In both study years, a majority of the bears were taken within the boundaries of the Alaska Peninsula Refuge: 70 percent in 1995–1996 and 81 percent in 1996–1997.

Birds and their eggs are also important subsistence foods used by local residents. Recent subsistence studies, covering the period of 1996–1998 (Wong and Wentworth 1999), indicated that ptarmigan was the bird most commonly harvested, followed by mallards, pintails, green-winged teal, lesser Canada geese, and cackling Canada geese. The vast majority of eggs harvested were from glaucous-winged gulls, followed by mew gulls and Arctic terns.

A few local trappers operate within the Refuges harvesting beaver, wolves, wolverine, lynx, river otter, and other small fur-bearing mammals. The sale of these furs provides supplemental income to residents of some communities adjacent the Refuges. The average annual number of trapper-related visits and harvest of furbearers occurring on

the Refuges is not available, but the numbers are small because the total number of furbearers reported taken in recent years in all of state Game Management Units 9C and 9E is relatively low (typically much less than 100 animals per year for each species).

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage subsistence activities at existing and projected levels. Approximately 700 staff days and \$500,000 are typically spent managing this activity on an annual basis. Activity related tasks are primarily conducted by the refuge manager, deputy refuge manager, subsistence coordinator, pilot/refuge officer and two park rangers. Management primarily includes conducting wildlife and public-use studies and surveys specifically for the management of subsistence species, conducting harvest surveys in the local communities, and participating in the regulatory development process with the Federal Subsistence Board and Alaska Boards of Fisheries and Game.

Anticipated Impacts of the Use(s)

Fish and wildlife harvested by subsistence users at current and projected levels—in accordance with established state and federal regulations pertaining to season, bag limits and methods of harvest—are not expected to have significant long-term impacts on the overall populations of refuge fish and wildlife resources. State and federal biologists monitor fish and game populations and state and federal regulatory bodies continually respond to management needs by adopting regulations to ensure the continued health of fish and wildlife populations.

Impacts to the resources from berry picking and other plant-harvesting activities are insignificant. Impacts to habitat caused by accessing refuge resources via aircraft, snowmachine, boats, and foot are generally minimal. Much of the access by subsistence users is by boat, thereby causing very little impact to refuge habitat. Snowmachine use occurs in the winter when there is adequate snow cover to prevent impacts to vegetation and soils. Aircraft landings on the refuge by subsistence users are relatively few and occur primarily on existing unmaintained landing strips, gravel bars, and unvegetated sand or cinder blows.

The most serious potential access-related impacts to habitat are from off-road vehicles used year-around in areas of the refuge that are located near the villages. Refuge-specific regulations promulgated in 1995 limit the size of authorized off-road vehicles to three- or four-wheeled vehicles with a maximum gross weight of 650 pounds. Prior to development of these regulations, field visits by refuge staff were made to sites where off-road vehicle use was known or reported to occur on the Refuges. Observed conditions were documented with photographs and narratives. The field review showed no significant habitat damage. Upon review of the public comments, the new data, relevant scientific literature, and legal requirements for managing subsistence use of off-road vehicles, the Service concluded that the current level of off-road vehicle use is not “causing (n)or is likely to cause an adverse impact on public health or safety, resource protection, protection of historic or scientific values, subsistence uses . . . or other purposes for which the refuge was established.” The refuge conducts periodic monitoring of these sites to ensure that conditions and impacts are not significantly changing (USFWS 1994).

Subsistence activities are an existing use, provided for in the Refuges purposes, and are provided for in the refuge management goals. They occur year round throughout the Refuges.

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

Although specific stipulations for subsistence activities are not necessary, management direction is provided in the revised Comprehensive Conservation Plan for the Refuges. This direction includes implementation of applicable sections of the Refuges' wildlife inventory plan, adequate monitoring of public-use activities, and continued monitoring of areas used by off-road vehicles. Findings from these wildlife, public-use, and habitat-monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure that subsistence activities remain compatible with refuge purposes.

Justification

One of the purposes of the Refuges, as established by ANILCA, is to provide for continued subsistence uses by local residents, consistent with the other refuge purposes of conserving fish and wildlife populations and habitats and fulfilling international treaty obligations with respect to fish and wildlife. ANILCA recognized that the continued opportunity for subsistence uses of public lands is critical to physical, economic, traditional, social, and cultural existence of rural Native and non-Native residents of Alaska. ANILCA established a preference for subsistence users, stating that the taking of fish and wildlife on public lands for nonwasteful subsistence use is given priority over other consumptive uses; in times of scarcity, recreational use is limited first. Section 811 of ANILCA ensures that subsistence users can access public lands by snowmachine, motorboat, and other traditionally used means of transportation, subject to reasonable regulation. In conclusion, current subsistence activities occurring on the Refuges contribute to one of the purposes of the Refuges while not materially interfering with or detracting from the other 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):
January 2015

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

EPA 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

- Fall, J.A. 1993. “An overview of subsistence uses of the Northern Alaska Peninsula Caribou Herd by communities of game management units 9C and 9E.” Technical Paper. No. 224. Juneau, Alaska: Alaska Department of Fish and Game, Division of Subsistence.
- Krieg, T.M., J.A. Fall, C.J. Utermohle, and L. Brown. 1998. “Subsistence harvests and uses of caribou, moose, and brown bear in 12 Alaska Peninsula communities, 1995/96 and 1996/97.” Technical Paper. No. 244. Juneau, Alaska: Alaska Department of Fish and Game, Division of Subsistence.
- Krieg, T.M., P.C. Kenner, L. Hutchinson-Scarborough, and L. Brown. 1996. “Subsistence harvests and uses of caribou, moose, and brown bear in 12 Alaska Peninsula communities, 1994/95.” Technical Paper. No. 240. Juneau, Alaska: Alaska Department of Fish and Game, Division of Subsistence.
- USFWS. 1994. “Alaska Peninsula/Becharof National Wildlife Refuge Complex Final Public Use Management Plan.” Anchorage, Alaska: U.S. Fish and Wildlife Service.
- Wong, D., and C. Wentworth. 1999. “Subsistence waterfowl harvest survey, Bristol Bay 1995-1998.” Anchorage, Alaska: U.S. Fish and Wildlife Service, Migratory Bird Management. (Data also available at <http://www.r7.fws.gov/mbm/HarvestSurvey/data/9599akpe.htm>.)
- 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. 1992. Subsistence Management for Federal Public Lands in Alaska, Final Environmental Impact Statement, Record of Decision, signed April 2, 1992. 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. 1994. Compatibility Determination and ANILCA Section 810 Determinations, Subsistence Fishing, Gathering Hunting and Trapping, Alaska Peninsula/Becharof National Wildlife Refuge Complex, May 9, 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.

Refuge Determination

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