

Proposed Rule to Amend Public Use Regulations for Kenai National Wildlife Refuge

Questions and Answers

What is a Proposed Rule?

In order to make a change in regulations for the federal government, the U.S. Fish and Wildlife Service (Service) must first propose what we would like to do through a proposed rulemaking process. The agency publishes a proposed rule in the *Federal Register* and takes public comment on the rule before making changes and finalizing the rule.

Why is the Service proposing this rule?

Over a million people travel through Kenai Refuge each year on the Sterling Highway, and an estimated 300,000 visitors spend extended periods of time on the refuge. In recent years, the Service has completed the Kenai National Wildlife Refuge Comprehensive Conservation Plan (CCP). Five primary issues were identified with public input through the planning process:

- How will the refuge address large-scale habitat changes and the use of fire?
- How will the refuge manage existing facilities for public use while ensuring natural resource protection?
- How will the refuge enhance wildlife-dependent recreation opportunities?
- How will the refuge manage increasing public use to ensure protection of resources and visitor experiences?
- How will the refuge balance motorized access with protection of resources and visitor experiences?

The new regulations addresses these issues, including balancing increasing use with resource conservation while ensuring public safety. To read the CCP, please visit:

http://www.fws.gov/refuge/Kenai/what_we_do/resource_management/plans.html.

What are the changes that are being proposed?

Proposed changes include regulations that would:

Aircraft Use

- Increase airplane access by expanding the area for allowable airplane use on the Chickaloon Flats, allow airplane use to start on September 10 on lakes that have swans with broods (20 days earlier than the current regulation allows), and open an additional lake for airplane use within the Kenai Wilderness for hunters who have drawn a state drawing permit for sheep/goat hunting;

Motorized Watercraft Use

- Minimize disturbance on select lakes by prohibiting boat motors in excess of 10 horsepower;

- Enhance consistency with state boating regulations within the Kenai River Special Management Area by adopting motor horsepower, motor type and boat size restrictions for portions of the Kenai River within the refuge;
- Clarify that jet skis and personal watercraft are included in the list of prohibited motorized watercraft.

Off-Road Vehicles

- Clarify that 4-wheel-drive vehicles that are legal for highway use can be used on refuge roads, right-of-ways that are open to public vehicular use, and on designated lakes during winter for ice-fishing;

Snowmobiles

- Add herding, hazing, pursuing and driving to clarify the current prohibition on use of snowmachines to harass wildlife;

Camping and Campfires

- Protect the Kenai River banks by limiting camping along the river to at least 100 yards away from the shorelines, with the exception of a few designated sites;
- Reduce the risks of accidental wildfires by requiring campfires to be completely extinguished prior to permanently leaving a campsite;

Pack Animals

- Prevent the introduction and spread of invasive plants by requiring the use of certified weed-free feed for pack animals;

Wildlife Attractants

- Reduce the potential for negative human-bear interactions and provide consistency with U.S. Forest Service regulations on adjacent lands in the area surrounding the confluence of the Kenai and Russian rivers by managing wildlife attractants, including food, refuse, and retained fish;

Hunting, Trapping and Firearms

- Codify the hunting restrictions and trapping closure for the Skilak Wildlife Recreation Area established by the refuge in 2013, consistent with the 2007 Skilak Wildlife Recreation Area Management Plan;
- Clarify that hunting over bait is prohibited on the refuge, with an exception for hunting black bears over bait under terms of a refuge special use permit.
- Prohibit the discharge of firearms in areas of high public use along the Kenai and Russian rivers, with exceptions for waterfowl and small game hunting;

How was Kenai Refuge established and what are the refuge purposes?

- Franklin D. Roosevelt established Kenai National Moose Range on December 16, 1941, for the purpose of “protecting the natural breeding and feeding range of the giant Kenai

moose on the Kenai Peninsula, Alaska.” The Alaska National Interest Lands Conservation Act of 1980 (ANILCA) redesignated Kenai National Moose Range as Kenai National Wildlife Refuge and increased its size to 1.92 million acres, of which approximately two-thirds are designated as wilderness.

- The purposes for Kenai Refuge, as established by ANILCA, are:
 1. To conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, moose, bears, mountain goats, Dall sheep, wolves and other furbearers, salmonoids and other fish, and waterfowl and other migratory and nonmigratory birds;
 2. To fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
 3. To ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in (1), above, water quality and necessary water quantity within the refuge;
 4. To provide, in a manner consistent with (1) and (2), above, opportunities for scientific research, interpretation, environmental education and land management training; and
 5. To provide, in a manner compatible with these purposes, opportunities for fish and wildlife-oriented recreation.

How can I submit comments and how will my comments be used?

The proposed rule will publish in the *Federal Register* on May 21, 2015. Written comments and information concerning this proposal can be submitted by one of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket No. FWS-R7-NWRS-2014-0003; or
- U. S. mail or hand-delivery: Public Comments Processing, Attn: FWS-R7-NWRS-2014-0003; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 5275 Leesburg Pike - MS: BPHC Falls Church, VA 22041-3808.

Comments must be received within 60 days, on or before July 20, 2015. The Service will post all comments on <http://www.regulations.gov>. This generally means the agency will post any personal information provided through the process. The Service is not able to accept email or faxes.

Once the public comment period closes, the Service will analyze comments, make any necessary revisions to the regulations and publish a final rule.

To learn more, please visit <http://www.fws.gov/refuge/kenai/>.