

COMPATIBILITY DETERMINATION

Use: Aggregated Uses in the Comprehensive Conservation Plan, to include: Boating (Motorized and Commercial)- commercial boat moorage and commercial navigation; Boating (Motorized and Non-Commercial)- houseboat moorage, personal watercraft, and powerboats; Business, Commercial, and Industrial- photography; Civilian Aircraft- civilian aircraft landings; Environmental Education- nonstaff conducted, teacher workshops, teaching students, and interpretation; Fishing (Recreational)- recreational fishing; Hunting- big game, other migratory birds, upland game, waterfowl, and other {small game and marine mammal}; Military Activities and Facilities- military facilities; Natural Resource Collection- berry/fruit/nut picking, firewood cutting, and rockhounding; Natural Resource Development- geothermal development, hydroelectric development, and mining; Off-Road Vehicles- off-road vehicles and snowmobiles; Outdoor Recreation (other)- boating (non-motorized), camping, cross-country skiing, dogsledding, hiking/backpacking, jogging/walking, wildlife photography, picnicking, snowshoeing, swimming/beach use, and wildlife observation; Public Uses and Leases (other)- public uses and leases and sewage effluent; Rights-of-way- rights-of-way; Subsistence Activities- subsistence fishing, subsistence gathering, subsistence hunting, and subsistence trapping.

Station Name: Alaska Maritime National Wildlife Refuge

Date Established: December 2, 1980. However, some of the refuges incorporated into the Alaska Maritime National Wildlife Refuge were established as early as 1909.

Establishing and Acquisition Authorities: Alaska National Interest Lands Conservation Act (Alaska Lands Act).

Purpose(s) for which Established:

i) To conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to , marine mammals, marine birds, and other migratory birds, the marine resources upon which they rely, bears, caribou, and other mammals;

ii) To fulfill the international treaty obligations of the U.S. with respect to fish and wildlife and their habitats;

iii) To provide, in a manner consistent with the purposes set forth in i) and ii) of this paragraph, the opportunity for continued subsistence uses by local residents;

iv) To provide, in a manner consistent with i) and ii) of this paragraph, a program of national and international scientific research on marine resources;

v) To ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in i) of this paragraph, water quality and necessary water quantity within the Refuge.

Applicable Laws, Regulations and Policies: Sections of ANILCA other than those delineating the specific refuge purposes are applicable in making this compatibility determination. Section 101 of ANILCA established general purposes of the Act which included "...preserving wilderness resource values and related recreational opportunities including but not limited to hiking, canoeing, fishing, and sport hunting. ..."

Section 304 required that comprehensive conservation plans be prepared and revised periodically for each refuge. Each plan was required to specify the uses within each area which may be compatible with the major purposes of the refuge and set forth those opportunities which will be provided within the refuge for fish and wildlife-oriented recreation if such recreation is compatible with the purposes of each refuge.

Section 802 states, in part, "consistent with sound management principles, and the conservation of healthy populations of fish and wildlife, the utilization of the public lands in Alaska is to cause the least adverse impact possible on rural residents who depend upon subsistence uses of the resources of such lands...non-wasteful subsistence uses of fish and wildlife and other renewable resources shall be the priority consumptive uses of all such resources on the public lands of Alaska."

Section 811(b) states, "Notwithstanding any other provision of this Act or other law, the Secretary shall permit on the public lands appropriate use for subsistence purposes of snowmobiles, motorboats, and other means of surface transportation traditionally employed for such purposes by local residents, subject to reasonable regulation."

Section 1110(a) states, in part, "Notwithstanding any other provision of this Act or other law, the Secretary shall permit...the use of snowmachines..., motorboats, airplanes, and non-motorized surface transportation methods for traditional activities. ...Such use shall be subject to reasonable regulations by the Secretary to protect the natural and other values of the ...areas, and shall not be prohibited unless, after notice and hearing in the vicinity of the affected unit or area, the Secretary finds that such use would be detrimental to the resources values of the unit or area."

Section 1316(a) states, in part, "On all public lands where the taking of fish and wildlife is permitted...the Secretary shall permit, subject to reasonable regulation to insure compatibility, the continuance of existing uses, and the future establishment, and use, of temporary campsites, tent platforms, shelters, and other temporary facilities and equipment directly and necessarily related to such activities."

Other applicable laws, regulations, and policies include:

A. Laws: Refuge Administration Act, Refuge Recreation Act, Wilderness Act, Endangered Species Act, Bald Eagle Act, Migratory Bird Treaty Act, Archaeological Resources Protection Act, Marine Mammal Protection Act.

B. Regulations: 50 CFR Subchapter C - The National Wildlife Refuge System; 50 CFR Part 36 - Alaska National Wildlife Refuges (specifically 36.31, 36.32, 36.42 and Subpart E); 43 CFR Part 36 - Transportation and Utility Systems in and Across, and Access into, Conservation System Units in Alaska.

C. Policies: 5 RM 20 - Compatibility Determination; RW-1 Cabin Management; RW-7 - Special Use Permits; RW-11 - Recommended Guidelines for Compliance with ANILCA Sec. 810; RW-16 - Motorized Equipment Use in Wilderness; RW-21 - Compatibility Determinations; RW-23 Interim Management of State and Native Selected Lands; RW-26 - Policy on Commercial Big Game Guide-Outfitters and Transporters on National Wildlife Refuges in Alaska.

Description of Use: Commercial boat moorage (short-term) occurs in the marine waters around Afognak Island. It is associated with commercial fishing and commercial shipping (mainly logs). Commercial aids to navigation consist of temporary radio or satellite navigation antennas set up on various islands. The U.S. Coast Guard has many aids to navigation set up on Refuge islands. Motorized, noncommercial boating occurs in all Refuge marine waters. Houseboat moorage is permitted in the marine waters around Afognak Island. Use of personal watercraft and powerboats is generally limited to marine waters and Andrew Lake on Adak Island. Civilian aircraft landings occur on some beaches (Chisik Island and Selawik Island for example), while float-equipped aircraft use the Refuge marine waters in the Kodiak Archipelago. Concessions - Guided tours occur throughout the Refuge on an intermittent basis and on specific sites (i.e., Pribilofs) on a regular basis. Non-staff conducted environmental education occurs in the Pribilofs and Atka, while teacher workshops are held in areas of the Refuge close to communities (i.e., Pribilofs, Atka, etc.) Interpretation occurs on an

intermittent basis throughout the Refuge. The entire Refuge is open to recreational fishing, big game hunting, other migratory bird hunting, upland game hunting, waterfowl, and other hunting. Most of this use occurs near populated areas (Kodiak Archipelago, Atka, Adak, etc.). Military facilities occur on Adak, Amchitka, Shemya, and Cape Lisburne. Berry picking occurs next to population centers as does firewood cutting (mostly drift wood). Rock hounding usually occurs in conjunction with intermittent guided tours (for example, *World Explorer* taking tourists to St. Matthew Island). A small hydroelectric plant was built on Atka (22g lands). The refuge has ORV routes at several sites (i.e., Karluk Lagoon beach). Snowmobiling and dog-sledding also occur within the Refuge (i.e. the Iditarod trail crosses Safety Sound area) and jogging, walking, hiking and backpacking all occur in varying degrees throughout the Refuge. While wildlife photography may occur anywhere, it is especially prevalent in the Pribilof Islands, 60-foot Rock, Chiswell Islands and St. Lazaria Island. While beach use is common around population centers, only a few hardy souls try swimming in Refuge waters. Picnicking occurs throughout the Refuge near population centers, although no formal picnic sites are present outside of Adak Island. Several right-of-ways exist for log transfer facilities, effluent piping for fish processing wastes, and access for geothermal generation. Subsistence fishing, subsistence gathering, subsistence trapping and hunting occur on various parts of the Refuge (i.e. Atka, Cape Thompson, Pribilofs).

Anticipated Impacts on Purposes: The CCP addresses anticipated impacts to Refuge purposes. However, this is a broad guideline document and it may require that further case-by-case studies be conducted to establish compatibility. Those particular uses are identified. In other cases, the CCP does describe anticipated impacts on specific uses or classes of uses. Some uses require mitigation such as using geographic parameters in placing or allowing the use. Unanticipated impacts to resident fish and wildlife populations and subsistence opportunities can be mitigated through regulation by the Alaska boards of fisheries and game and the Federal Subsistence Board, or through subsequent amendment or revision of a public use management plan. Likewise, impacts to anadromous fish, particularly salmon, migratory birds, and marine mammals would be mitigated through fisheries management activities of the State and federal boards and other federal regulations.

In summary, the subject uses at their present levels will not materially interfere with or detract from the purposes for which the Alaska Maritime National Wildlife Refuge was established.

Determination: (Check One)

These uses are compatible X
These uses are not compatible

Stipulations required to ensure compatibility:

The CCP provides management direction to insure that uses of the Alaska Maritime National Wildlife Refuge are compatible. Many uses (identified in the CCP) will require further case-by-case study and determinations. Examples of currently used stipulations can be found in the attached appendix. Some site/use specific examples are:

1. Access to Agattu, Kiska, Amchitka, and Bogoslof islands is not permitted.
2. Helicopter access is limited to the 3 June - 15 June and 15 September - 30 October time periods.

Justification: The CCP was mandated by ANILCA to provide management direction and to "...specify the uses within each such area which may be compatible with the major purposes of the refuge...". By adopting and implementing the CCP, the Service is guaranteeing that uses that occur will be compatible or made compatible by restrictions or use stipulations. The CCP provides overall management guidelines for all anticipated uses that occur on the Refuge.

NEPA Compliance:

Categorical Exclusion	<u> </u>	
Environmental Assessment	<u> </u>	
Environmental Impact Statement	<u>1988</u>	CCP
Finding of No Significant Impact	<u>1988</u>	CCP

ANILCA Section 810 Compliance: The CCP and Environmental Impact Statement contained a Section 810 compliance review. The chosen alternative did not significantly restrict subsistence uses.

Supporting documents:

Alaska Maritime National Wildlife Refuge, Final Comprehensive Plan, Environmental Impact Statement, Wilderness Review. Record of Decision signed November 11, 1988.

Fishery Management Plan for the Alaska Maritime National Wildlife Refuge, signed March 9, 1993.

Aleutian Canada Goose Recovery Plan, signed September 30, 1991.

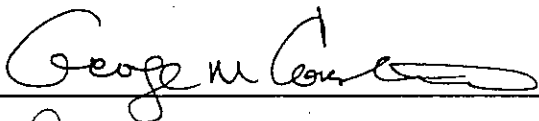
Aleutian Shield Fern Recovery Plan, signed September 30, 1992.

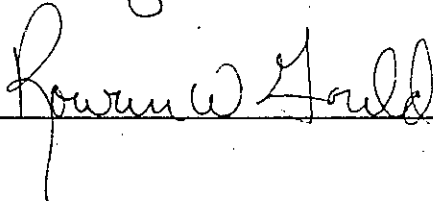
Environmental Assessment of Proposed Radioactive Soil Removal from the Project Chariot Site at Cape Thompson. FONSI signed July 27, 1993.

Environmental Assessment, Proposed Emergency Use of Brodifacoum and Bromethalin to Prevent Accidental Introductions of Rats from Shipwrecks on Islands in the Alaska Maritime National Wildlife Refuge. FONSI signed March 16, 1994.

Fox Eradication Environmental Assessment. FONSI signed April 15, 1985.

Project Leader:  Date 9/16/94
John L. Martin

Review and
Concurrence:  Date 9/20/94

 Date 9/20/94