

COMPATIBILITY DETERMINATION

Use: Concessions (to individuals or business) - Guided
Sport Hunting and Commercial Transporters

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...".

U.S. Fish and Wildlife Service Refuge Manual 8 RM 5 (Hunting)
- "The Service has long recognized that hunting is an integral part of a comprehensive wildlife management program In

addition, hunting is an acceptable, traditional form of wildlife-oriented recreation that can be, and is sometimes used as, a management tool to effectively manipulate wildlife population levels."

Section 304 also 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 those activities, ensuring that this activity is compatible with the purposes of each refuge. The Refuge's CCP does this.

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 (specifically 32.21); 50 CFR Part 36 - Alaska National Wildlife Refuges (specifically 36.31, 36.32, 36.33, 36.34, 36.39, 36.41).

C. Policies: 5 RM 20 - Compatibility Determination; 8 RM 5 - Hunting; 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.

D. Plans: Alaska Maritime National Wildlife Refuge Comprehensive Plan, Impact Statement, Wilderness Review.

Description of Use: Guided Sport Hunting

Concessions (to individuals or business) - guided sport hunting and commercial transporters occur within the Chukchi Sea Unit, the Bering Sea Unit and the Gulf of Alaska Unit and are controlled through the issuance of special use permits for all of the Refuge's units.

Anticipated Impacts on Service Lands, Waters or Interests:

The anticipated impacts of guided hunting and commercial transporters are addressed in the station's CCP. There are no significant impacts anticipated; however, guided sport hunting and activities of commercial transporters will continue to increase.

Determination: (Check One)

This use is compatible X
This use is not compatible

Stipulations required to ensure compatibility:

Site specific stipulations may be used to prevent disturbance to refuge wildlife. Individual parameters will depend upon time and geographic parameters. An example of a specific stipulation includes: keeping a distance of 1/2-mile inland and 1 mile off-shore from all birds cliffs [relative to specific bird colonies i.e. Cape Dryer, Cape Lewis, Barren Islands].

Justification: Hunting is mandated by ANILCA, sec. 101. The CCP addressed present sport hunting and found it compatible with refuge purposes. Adopting and implementing the plan ensures that public use of the Refuge will remain compatible with the purposes for which the Refuge was established and that other Fish and Wildlife Service objectives, including the opportunities for fish and wildlife oriented recreation, will be met. Monitoring called for in the plan will document conditions and trends before any impacts that might be incompatible would occur. Corrective actions would be taken prior to incompatible uses or levels of use occur.

NEPA Compliance:

Categorical Exclusion		
Environmental Assessment	<u>1997</u>	
Environmental Impact Statement	<u>1988</u>	CCP
Finding of No Significant Impact	<u>1988</u>	CCP

ANILCA Section 810 Compliance: Section 810 of ANILCA evaluation was included in the final comprehensive conservation plan. The comprehensive conservation plan found this use to not significantly restrict subsistence uses.

Supporting documents:

National Wildlife Refuge System, REFUGE MANUAL. Dated
April 27, 1982.

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

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

Fox Environmental Assessment. FONSI signed April 15, 1985.

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Review and
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