Compatibility Determination

Uses: Bureau of Land Management (BLM) Native allotment surveys

Station Name: Yukon Delta National Wildlife Refuge

Date Established: On December 2, 1980, President Jimmy Carter signed the Alaska National Interest Lands Conservation Act (ANILCA). With enactment of ANILCA, the refuge was established.


Purpose(s) for which Established: Section 303 (7)(B) of ANILCA set forth the following major purposes for which the Yukon Delta Refuge was established:

(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, shorebirds, seabirds, whistling (tundra) swans, emperor, white-fronted and Canada geese, black brant and other migratory birds, salmon, muskox, and marine mammals;

(ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;

(iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and

(iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

In addition to the purposes identified above, ANILCA identifies two items which must be considered in managing the refuge. Section 303(7)(C) states that "Subject to such reasonable regulations as the Secretary may prescribe, reindeer grazing, including necessary facilities and equipment, shall be permitted within areas where such use is, and in a manner which is, compatible with the purposes of this refuge."

Section 303(7)(D) also requires that "Subject to reasonable regulation, the Secretary shall administer the refuge so as to not impede the passage of navigation and access by boat on the Yukon and Kuskokwim Rivers."
Applicable laws, regulations, and policies: Sections of ANILCA other than those delineating the specific refuge purposes are applicable in making this compatibility determination. 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. The use of helicopters and fixed-wing planes to access refuge lands was identified as a permitted activity (subject to special use permit) in the comprehensive conservation plan and environmental impact statement for the Yukon Delta National Wildlife Refuge (1988).

Other applicable laws, regulations, and policies include:


C. Policies: 5 RM 20 - Compatibility Determination; RW-21 - Compatibility Determinations; RW-7 - Special Use Permits; RW-23 Interim Management of State and Native Selected Lands.

Description of Use: Surveyors from Bureau of Land Management (BLM) are transported to various remote sites within refuge boundaries to survey Native allotments. Access is normally via float plane or helicopter. Helicopter operation within 15 miles of the coast is restricted from May 15-July 15.

Anticipated Impacts on Refuge Purpose(s): No anticipated impacts if the special conditions and restrictions are followed.

Determination:

This use is compatible ___X__ This use is not compatible _____

The following stipulations are required to ensure compatibility:
A special use permit is required with special conditions (a copy of special conditions follows).

Justification: Access to refuge lands via fixed-wing planes and helicopters is consistent with existing legislation, regulations, and Service policy. This use will not detract from or materially interfere with the purposes for which the Yukon Delta National Wildlife Refuge was established.
NEPA Compliance:

Categorical Exclusion ______
Environmental Assessment ______
Environmental Impact Statement 1988
Finding of No Significant Impact ______

ANTILCA Section 810 Compliance: Overall 810 evaluations were included in the final comprehensive conservation plans and specific 810 evaluations are completed for each special use permit.

Supporting documents:


Project Leader: __________________________ Date 8-25-84

Review and Concurrence: __________________________ Date _____

_____________________________ Date _____