

Appendix E

Draft Compatibility Determinations

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COMPATIBILITY DETERMINATION

Use: Commercial Air Transporter Services

Supporting and Incidental Uses: Hunting, fishing, hiking and backpacking, boating and rafting (motorized and non-motorized), camping, berry picking, picnicking, firewood gathering, swimming, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

This compatibility determination addresses a commercial use of the Refuge involving the transportation of persons and/or materials in and out of the Refuge by means of airplane. The commercial transport of persons to and from the Refuge primarily to hunt, fish, and participate in other outdoor recreational activities on the Refuge has occurred prior to and since its establishment in 1980. Occasionally, transporter services may be chartered for non-recreational activities on the Refuge or for access to private lands within the Refuge. Commercial transporter operations are required to obtain a permit to operate on the Refuge. Permit conditions require they annually report

number of clients and trips, the primary activity of the clients, location of trips, dates and length of stay, group size, and other related information.

As of 2005, three commercial transporters were permitted to use the Refuge. Most reported use occurs from May through October. A relatively small number of Refuge visitors use commercial transporter services to access the Refuge. The number of commercial transporter trips made to the Refuge averaged six per year during most of the 1990s. One air transporter/ air-taxi operator accounts for more than 90% of all use (primarily using float equipped airplanes). The annual number of visitor use days on the Refuge associated with these trips ranged from 16 to 34.

This use (commercial transporter services) occurs throughout the Refuge and supports wildlife-dependent recreational activities, primarily hunting and fishing. Thus timing of transporter activities is primarily in response to state fishing and hunting seasons.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage commercial transporter activities at current and projected levels. Approximately \$400- \$500 in visitor use fees are collected annually, which are returned to the Refuge for use in management of commercial transporter activities over and above base operational funds. Administrative time (5–10 staff days) primarily involves annually issuing permits, ensuring that licenses and certifications are current, and collecting client use-day fees. Field work associated with administering the program primarily involves monitoring the permittee's compliance with the terms of the permits.

Anticipated Impacts of the Use

Because of the Refuge's administrative oversight of the activity, comprehensive state and federal regulations (which continually evolve to respond to fisheries and wildlife management needs) and because of combined law-enforcement efforts of state and Service personnel, direct impacts from commercial transporter services at existing and projected levels should have minimal or negligible impacts to fish and wildlife resources, other refuge resources, and other refuge users. Refuge special use permits that are required for transporter activities include special conditions to minimize potential impacts on Refuge resources and other users. Commercial transporter services are provided in support of other uses and activities that occur on the Refuge. Impacts of the uses supported by transporters are addressed in the respective compatibility determination specific for that use.

Permit conditions prohibit operation of airplanes at altitudes or in flight paths resulting in disturbance or harassment of wildlife. However, temporary displacement and/or disturbance to wildlife can occur during take-offs and landings. There are no known long-term impacts to refuge wildlife populations from this disturbance.

The vast majority of transporter activities in the refuge involve access in and out of lakes and rivers with float-equipped airplanes, which minimizes potential impacts to refuge habitats. Wheel-plane landings are far less common, and occur opportunistically on gravel bars or other sites that are conducive to wheel landings. Although it is not known to have occurred on the Refuge to date, one potential impact or threat associated with airplane use is the introduction of invasive species carried in on the airplane. Most such sites are unvegetated or lightly vegetated. The size of the Refuge and distance from fixed base operations outside the Refuge negate need for refueling in the field and thus avoid concerns for potential spills during refueling activities.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the

Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that pertained to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Based on management direction provided in the revised Comprehensive Conservation Plan for the Refuge (in press) and the 1986 Tetlin Refuge Wildlife Inventory and Monitoring Plan, will continue monitoring of commercial transporter activities and other associated public-use activities. Findings from monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure that commercial transporter activities remain compatible with refuge purposes.

To minimize impacts on refuge lands and resources, law-enforcement and administrative monitoring of permittees will be continued to ensure compliance with conditions incorporated into all permits for commercial transporters.

The conditions listed below are included on Refuge permits issued for transporter services, most of which are intended to minimize impacts and ensure compatibility. Refuge permits may also include other special conditions as necessary or appropriate for the specific operations or activities that are proposed.

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (sub-chapters B and C) Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for immediate revocation of this permit and could result in denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of this permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with Title 50 Code of Federal Regulations Part 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. Any problem with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and/or Alaska Department of Fish and Game, and be salvaged in accordance with State regulations.
4. This permit may be canceled or revised at any time by the refuge manager in case of emergency (e.g., high fire danger, flooding, unusual resource problems etc.).
5. Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with: (1) proof of appropriate aviation passenger liability (\$150,000 per seat plus \$100,000 property damage), marine liability, and/or comprehensive general liability insurance covering all aspects of operations throughout the annual use period; (2) aircraft and other vehicle types to be used, with identification information, if different from the original permit or previous year; (3) changes in names of pilots; and (4) any other changes in information provided in the original permit application.
6. The permittee shall provide the refuge manager with a comprehensive summary report of

activities and services provided on Refuge lands under authorization of this permit within 30 days of permit expiration unless stated otherwise in the permit. The report shall include the number of trips provided to and from the Refuge, and for each trip the date, location, number of clients in the party, and number and species of all animals taken by the party. For law enforcement purposes, the permittee may be required to provide names and addresses of clients.

7. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical or archaeological specimens or artifacts on refuge lands is prohibited.
8. The construction or clearing of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
9. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take off and landing, maintain a minimum altitude of 2,000 feet above ground level (AGL).
10. Construction of cabins, tent platforms, fuel caches, or other permanent structures is prohibited.
11. Any action by the permittee or the permittee's employees which unduly interferes with or harasses other refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to, low flights over camps or persons at less than 500 feet (unless landing) and parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft or persons.
12. The permittee's operations plan, as amended and accepted by the U.S. Fish and Wildlife Service, is hereby incorporated in its entirety as a special condition. All deviations from the operations plan must receive prior written approval by the refuge manager or his designee.
13. All non-combustible waste materials must be removed from the refuge (not buried) upon the permittee's and/or clients' departure. The permittee is responsible for removal of clients' garbage.
14. The use of helicopters is prohibited.
15. The use of Native or State lands that have been conveyed (patented) is not authorized by this permit.

Justification

Commercial guiding and outfitting services are traditional uses that Congress intended to preserve with the enactment of ANILCA. These services are provided in direct support of hunting, fishing, wildlife observation and photography, and environmental education, which the National Wildlife Refuge System Improvement Act of 1997 identified as a priority public uses of the National Wildlife Refuge System. Commercial transporter services are necessary to a segment of the public that does not have other means of access to the extremely remote environment of the Refuge.

As described previously in the "Anticipated Impacts" section of this compatibility determination, the overall impacts of commercial transporter activities on Refuge resources, and on subsistence use opportunities is minor. After fully considering the direct and indirect impacts of these uses, it is my determination that commercial transporting activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System.

Supporting Documents

- Tetlin National Wildlife Refuge. 1986. Wildlife inventory and monitoring plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska, USA.
- USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.
- USFWS. 1992. Finding of No Significant Impact, Environmental Assessment for the policy on commercial big-game guide-outfitters and transporters on national wildlife refuges in Alaska, June 9, 1992. Anchorage, Alaska.
- USFWS. 1994. Compatibility determination for commercial transporter uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Commerical Hunting Services (Guiding and Outfitting)

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), fishing, fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, camping, cabins, tent frames, weatherports, picnicking, firewood gathering, berry picking, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

This compatibility determination addresses commercial guiding and outfitting services provided to hunters in the field. Alaska regulations define the term “guide” *...to provide, for compensation or with the intent or with an agreement to receive compensation, services, equipment, or facilities to a big game hunter in the field by a person who accompanies or is present with the big game hunter in the field either personally or through an assistant.* The regulations identify guiding “services” provided to big game hunters to include such things as 1) contracting to guide or outfit hunts; 2) stalking, pursuing, tracking, killing, or attempting to kill game; 3) packing, preparing, salvaging, and

caring for meat; 4) field preparation of trophies, including skinning and caping; 5) selling, leasing, or renting goods when the transaction occurs in the field; 6) using guiding or outfitting equipment, including spotting scopes and firearms for the benefit of the hunter; and 7) providing camping or hunting equipment or supplies that are already located in the field. The term “outfit” also applies to services, supplies, or facilities that are provided for compensation to hunters in the field. However, State regulations distinguish outfitting from guiding in that outfitters do not accompany or remain present with the hunter in the field, whereas guides or their assistants must be in the field with clients through the duration of a guided hunt. Outfitting services are often referred to as “drop-off hunts.” Big game guides and outfitters are required to obtain a guide license from the State of Alaska. Although the State’s regulatory definitions for guiding and outfitting apply to big game hunting, this compatibility determination includes commercial hunting services for all other wildlife species that may be hunted under Alaska hunting regulations as well (i.e., waterfowl, sandhill cranes, small game, upland game birds, etc.).

Commercial big game guiding and outfitting services have operated on the Refuge prior to, and since its establishment in 1980. Most guiding and outfitting within the Refuge is incidental to operations which focus their efforts in the adjacent Wrangell-St. Elias National Park and Preserve. All known or currently permitted guiding or outfitting activities on the Refuge involve hunts for the big game species, including moose, black bear, brown bear and Dall sheep. Commercial hunting services for other wildlife that may be hunted, such as waterfowl, upland birds, fur animals, or small game animals, could be allowed by special use permit, but the Refuge has not received any requests for such activities.

The Alaska Big Game Commercial Services Board licenses and regulates commercial big game guide and outfitter services in Alaska. In addition to applicable State statutes and regulations, these uses are intensively managed by the U.S. Fish and Wildlife Service (Service) on Refuge lands. Big game guide/outfitter uses require special use permits on national wildlife refuges, and the number of such permits allowed on Alaska refuges is limited. The Service has established a competitively selection process to manage commercial guiding/outfitting activities at a level compatible with refuge purposes and to ensure that high-quality guiding services are available to the public. The selection process requires the applicant to submit an operations plan to be evaluated, and the criteria established by the Service to award the permits include impacts to Refuge resources, and impacts to subsistence and other users. There are two established big game guide use areas on the Tetlin Refuge, and only one big game guide permit is allowed in each of the guide areas. Thus, there are only two big game guides allowed to operate on the Refuge.

Big game guide/outfitters must be qualified and licensed by the State in order to apply for permits to use Refuge lands and are required to follow written operations plans submitted with their applications, which are evaluated by Service personnel during the competitive-selection process. These operations plans include the following: 1) dates of field operations; 2) species to be hunted; 3) maximum and expected number of clients for each species hunted; 4) number and type of existing or new camps (i.e., tent, tent platform or frame, cabin, boat) including other needed facilities such as caches and weatherports; 5) access points and mode(s) of transportation (e.g., airplanes, boats, snowmachines, pack animals, and other nonmotorized means); 6) fuel storage needs; and 7) services provided by others (e.g., contracts for transportation, food services).

Commercial guiding or outfitting for wildlife other than big game species is subject to far less regulation by the State and the Service. However, such uses still require a special use permit from the Refuge. Although allowed, there has been no history or interest in permits for guided or outfitted hunts for wildlife other than big game.

This compatibility determination considers the full spectrum of uses and activities associated with commercially guided or outfitted hunting of wildlife, including all means of access, field lodging and

camping facilities, and other elements identified in the guides' operations plans. Authorized modes of access for Refuge lands may include fixed-wing aircraft, motor boats, snowmachines, nonpowered boats, pack stock, dogsled, foot, snowshoe, and cross-country ski. Lodging or camp facilities on Refuge lands include tents, tent frames, tent platforms, weatherports, existing cabins, and caches. There are currently two cabins on the Refuge authorized for use in conjunction with big-game guiding operations. These cabins existed when the Refuge was first established and are allowed to remain in accordance with Section 1303(b) of ANILCA.

Commercial hunting service activities could occur throughout the Refuge depending on State regulated hunting seasons. However, all activities conducted under current big game guide permits have been limited to remote areas of the Refuge.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage commercial hunting services at existing and projected levels. The level of such uses on the Refuge has been extremely low during the past several years. The Refuge typically collects less than \$1,000 in annual fees from the guide permit holders which are returned to the Refuge for use in managing commercially guided hunting activities. Administrative time (15–20 staff days) devoted to managing these uses primarily involves issuing permits, ensuring that licenses and certifications are current, collecting fees, and collecting hunting activity and harvest data. Field work associated with administering the program primarily involves monitoring the permitted operations for compliance with the terms of the permits and applicable hunting regulations.

Anticipated Impacts of the Use(s)

We anticipate that existing and projected levels of commercial guiding and outfitting activities on the Refuge should have minor or minimal overall impacts on fish and wildlife resources, other Refuge resources, and opportunities for continued subsistence uses. Big game guiding/outfitting activities are subject to significant administrative oversight and regulation by the State, and the competitive process used by the Service to permit and manage these activities on Refuge lands is designed to minimize impacts. In addition, all hunting activities associated with commercial guiding or outfitting are subject to State and Federal hunting regulations that continually evolve to respond wildlife management needs.

The competitive process used to select or award big game guide permit applications on Refuge lands includes evaluation criteria for evaluating the potential impacts on wildlife resources, on other refuge resources such as water quality, soil, and vegetation; and on other refuge users, especially subsistence users. The criteria address such factors as target species, number of clients, transportation modes, number of airplanes and amount of airplane use, fuel storage, garbage and human waste management, type and location of lodging, and access points. The ranking criteria provide a strong incentive for applicants to maintain a low-impact guiding service. In addition, permit conditions (noted in a following section) contribute to minimizing potential impacts.

Harvest levels for all hunters are effectively managed by State and Federal hunting regulations and the permitting process, to avoid overharvest of resources. Temporary displacement and/or disturbance to wildlife can occur while stalking and taking game animals, during motorized boat use, airplane take-offs and approaches to landings, and at or other areas of concentrated human activities. There are no known or expected long-term impacts to Refuge wildlife populations from this disturbance. Overall, the direct impacts from hunting and harvesting wildlife resources by guided and outfitted hunters is expected to be very minor.

Some localized vegetation damage generally occurs in the vicinity of campsites and cabins due to more intense human activity, and at commonly used points of access, such as landing strips. The use of pack horses and mules can have localized impacts on Refuge habitat, but their use has been

essentially discontinued due to logistic and cost considerations. Most access to the Refuge currently used by commercial hunting services involves landing on lakes and rivers with float-equipped airplanes or on gravel bars with wheel-equipped airplanes, which renders minimal impacts on refuge habitat or vegetation. Some landings are made on vegetated lowland tundra or ridge tops, usually with small, light airplanes equipped with tundra tires. Disturbance to vegetation is minimal and short-term unless numerous landings are made repeatedly at the same location. Surface damage from heavily used landing strips have not been observed to date on the Refuge.

A potential impact or threat associated with access by commercial guiding and outfitting operations is the introduction of invasive species carried in on airplanes, boats and boat trailers, pack stock, pack stock feed, pets, or clothing. This is not known to have occurred within the Refuge to date.

Commercial big-game guiding operations may, in some cases, result in some competition for limited numbers of resident game animals or for preferred campsites or interfere with subsistence users and/or other unguided recreational hunters. However, both the Federal Subsistence Board and Alaska Board of Game regularly adopt regulations in response to big-game population levels and management needs to reduce impacts to big-game populations and to ensure opportunity for continued subsistence uses of wildlife resources by local residents. The current big game guiding/outfitting operations on the Refuge occur at remote areas where there is minimal potential for interference with local subsistence uses.

Compliance with regulations and permit conditions by guides is excellent because of potential negative impacts of a citation. Although a guide/outfitter could lose his permit immediately due to a citation for a severe infraction, any citation would be a negative factor during the next competitive selection process.

There two pre-ANILCA cabins in the Refuge that are used in support of permitted guiding activities. The areas around these cabin sites are subject to localized damage to vegetation and wildlife disturbances associated with more intensive human activities. The cabins are managed under separate Refuge special-use permits, in accordance with established regional policy and regulations to ensure impacts are minimized. In accordance with Refuge regulations, no new cabins will be authorized for commercial purposes.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that pertained to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

As directed in the Refuge's revised Comprehensive Conservation Plan (in press) and the 1986 Wildlife Inventory and Monitoring Plan, the Refuge will continue to monitor the existing and any future commercial hunting activities permitted on the Refuge (and other public-use activities).

Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure all commercial guided and outfitted hunting activities remain compatible with Refuge purposes.

Commercial guiding and outfitting uses of Refuge lands require special use permit and are subject to permit conditions. The Refuge completed the selection process for the two big game guides authorized to operate on the Refuge for the period of January 1, 2004, through December 31, 2008. During this selection process, all elements of the proposed operations plans, (e.g., access, use of cabins and other facilities, fuel storage) were carefully considered by the selection panel to ensure that future commercial guiding operations remain compatible with Refuge purposes. Refuge permits to provide guided and outfitted hunting services for wildlife resources other than big game animals are not subject to the competitive selection process. Such permits are issued on an annual basis to qualified individuals.

The conditions listed below are generally included on Refuge permits issued for commercial guiding and outfitting services, mostly to minimize impacts and ensure compatibility of these uses with Refuge purposes. Conditions included on each permit may vary somewhat as needed or appropriate for the specific operations being proposed, and if changing situations warrant revisions.

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (sub-chapters B and C) Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for immediate revocation of this permit and could result in denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of this permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with Title 50 Code of Federal Regulations Part 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. The permittee may not sublet any part of the authorized use area and is prohibited from subcontracting clients with any other guide.
4. Any problem with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and/or Alaska Department of Fish and Game, and be salvaged in accordance with State regulations.
5. The permittee and permittee's clients do not have the exclusive use of the site(s) or lands covered by this permit, except for authorized camp facilities.
6. This permit may be canceled or revised at any time by the refuge manager in case of emergency (e.g., high fire danger, flooding, unusual resource problems etc.).
7. The permittee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completion of annual activities allowed by this permit.
8. Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with: (1) proof of appropriate comprehensive general liability (\$300,000 each occurrence, \$500,000 aggregate), marine liability, and/or aviation passenger liability insurance covering all aspects of operations throughout the annual use period; (2) aircraft and other vehicle types to be used, with identification information, if different from the original permit or previous year; (3) changes in names of assistant guides and other employees; and (4) any other changes in information provided in the original permit/proposed operations plan.
9. The permittee is responsible for accurate record keeping and will provide the refuge manager

with a comprehensive summary report of the number of clients, and number of client days per activity type by December 31 for all uses during that calendar year unless stated otherwise in the permit. A legible copy of the State's "Hunt Record" for each client will be required in addition to the summary report.

10. Failure to report the actual number of client use days per type of authorized activity by December 31 of each calendar year and annually pay the Service's established fees (client use day and reserved land site) within 30 days after receiving a bill for collection will be grounds for revocation of this permit.

11. The permittee will not be required to provide a letter of concurrence from the State of Alaska before the use of State selected lands can be authorized. However, if any of these selected lands are conveyed to the State during the term of the permit, the permittee will be required to obtain permission from the State's Dept. of Natural Resources to continue operating on State Land.

12. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical or archaeological specimens or artifacts on refuge lands are prohibited.

13. Permittees shall maintain their use areas in a neat and sanitary condition. Per Alaska Dept. of Environmental Conservation Code 18 AAC 72.021(e),(h), latrines, seepage pit, etc., must be located at least 100 feet, measured horizontally to the nearest edge of the mean annual high water level of lakes, rivers, streams, springs, sloughs, or mean higher high water level of coastal waters. No privies are to be installed in areas subject (no less than 4 feet to maximum water table elevation) to flooding. All property of the permittee (except authorized cabins and/or tent frames) must be removed from refuge lands upon completion of permitted activities.

14. The construction or clearing of landing strips or pads are prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.

15. The use of off-road vehicles (except snow machines) is prohibited unless specifically authorized in writing in this permit.

16. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take off and landing, maintain a minimum altitude of 2,000 feet above ground level (AGL).

17. All aircraft being used in a commercial guiding operation must have 12" identification numbers in contrasting colors which are readily visible.

18. Motorboat operators must possess a U.S. Coast Guard (USCG) license for all passenger carrying operations, if required by USCG regulations.

19. Construction of cabins or other permanent structures is prohibited.

20. Any action by a permittee or the permittee's employees which unduly interferes with or harasses other refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to, low flights over camps or persons at less than 500 feet (unless landing) and parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft or persons.

21. Subject to available suppression resources, all permitted cabins will be protected from wildfire to the extent possible. Human safety will receive the highest priority consideration by land managers and fire suppression personnel.

22. The permittee's operations plan, as amended and accepted by the U.S. Fish and Wildlife

Service, is hereby incorporated in its entirety as a special condition. **All deviations from the operations plan must receive prior written approval by the refuge manager or his designee.**

23. A copy of this permit must be in the permittee's possession at all times while exercising the privileges of this permit.

24. All non-combustible waste materials must be removed from the refuge (not buried) upon the permittee's and/or clients' departure. The permittee is responsible for removal of clients' garbage.

25. Tent platforms are prohibited unless specifically requested in permittee's operations plan (see No. 22).

26. The use of helicopters is prohibited.

27. Fuel caches are allowed only in areas designated in permittee's operations plan (see No. 22). Containers shall be properly stored and marked with the owner's name, address and type of fuel.

Justification

Commercial guiding and outfitting services are traditional uses that Congress intended to preserve with the enactment of ANILCA. These services are provided in direct support of hunting, which the National Wildlife Refuge System Improvement Act of 1997 identified as a priority public use of the National Wildlife Refuge System. These services also provide indirect support for other wildlife-dependent activities that occur incidental to hunting, including fishing, wildlife observation, and photography. Guided and outfitted hunting services provide the public with opportunities enjoy a quality and safe recreational hunting experience and, in many cases, are necessary for non-residents to hunt on the Refuge. Alaska hunting regulations require that nonresidents who hunt brown bear and Dall sheep must be accompanied in the field by an Alaska-licensed big game guide, or an Alaskan resident who is within second degree of kindred. Commercial guiding services provide valuable benefits to those people who are required by State regulation or who simply choose to employ a big game hunting guide. People choose to hire a guide for many reasons: they may lack the physical ability and/or knowledge, or are not comfortable with embarking on unguided hunting in the extremely remote and harsh wilderness environment of the Refuge.

As described previously in the "Anticipated Impacts" section of this compatibility determination, the overall impacts of commercial guiding and outfitting activities on refuge wildlife and other resources, and on subsistence use opportunities is minor. After fully considering the direct and indirect impacts of these uses, it is my determination that commercial guiding and outfitting activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System. These uses, in fact contribute to the mission of the National Wildlife Refuge System by supporting priority public uses. They enable hunters to utilize and enjoy refuge resources and generally provide a safe and rewarding experience for many hunters who might not be able to utilize the Refuge on their own.

Supporting Documents

Tetlin National Wildlife Refuge. 1986. Wildlife inventory and monitoring plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska, USA.

USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.

USFWS. 1992. Finding of No Significant Impact, Environmental Assessment for the policy on commercial big-game guide/outfitters and transporters on national wildlife refuges in Alaska. June 9, 1992.

Appendix E: Compatibility Determinations

USFWS. 1994. Compatibility determination for commercial guiding operations uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska

USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.

USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Recreational Fishing (Wildlife-Dependent Recreation)

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), commercial and private fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, fish stocking (Hidden Lake only), camping, picnicking, firewood gathering, swimming, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

The Tetlin Refuge provides opportunities to catch a number of fish species common to the Alaska interior. Angling opportunities within the Refuge include fishing for Arctic grayling, northern pike, humpback whitefish, lake trout, rainbow trout, and burbot. Recreational fishing on the Refuge has occurred prior to, and since its establishment in 1980. Most fishing within the Refuge involves natural populations of native species. The only exception is at Hidden Lake, near the Alaska Highway, which is periodically stocked by the Alaska Department of Fish & Game (ADFG) with rainbow trout to enhance fish recreational fishing opportunities. While native to other parts of Alaska, rainbow trout

do not occur naturally in the Upper Tanana drainage. Recreational fishing is a wildlife-dependent priority public use (National Wildlife Refuge System Administration Act, as amended). Activities associated with recreational fishing activities such as camping, backpacking, hiking, various means of access, and other incidental uses are considered part of wildlife-dependent fishing activities.

Traditional forms of access on the Refuge include fixed-wing aircraft, motorboats, snowmachines, nonpowered watercraft, dog sled, foot, snowshoe, cross-country skis, pack horses and mules, and other nonmotorized means. Only the northern portion of the Refuge is road accessible. The relatively small number of visitors who participate in recreational fishing access the Refuge from the road (Alaska Highway), or by boat, commercial air taxi, private airplanes, or snowmachine. Little cross-country skiing or snowshoeing occurs. A number of local residents own sled dogs for competitive racing, but dog sled access for recreational activities within the Refuge is not common. Use of helicopters, jet-powered personal watercraft, and airboats is specifically excluded from this evaluation.

Based upon direct observations by refuge staff and from annual reports provided by commercial transporters, recreational fishing primarily occurs from late May through September with very limited winter use. Overall participation in this activity within the Refuge is estimated to be low with use concentrated at major rivers, their tributaries, and fewer than six lakes within the Refuge. More detailed discussions of recreational fishing, fish populations, and fisheries management within the Refuge can be found in the revised Tetlin Refuge Comprehensive Conservation Plan (in press), the 1997 Public Use Management Plan, 1990 Fisheries Management Plan, and the 2005 Alaska Department of Fish and Game Statewide Stocking Plan.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage recreational fishing activities at existing and projected levels. Administrative staff time (6-14 staff days) primarily involves phone conversations, written correspondence, personal interaction with visitors at the visitor center, review of proposed changes to Alaska sport fishing regulations, and entering activity data into a database. Field work associated with administering the program primarily involves maintenance of boat launches and designated trails (as many as six staff days), and conducting law-enforcement patrols (as many as 52 staff days) via vehicle, airplane, and boat to increase compliance with state and federal regulations and foster respect for the activities and property of local residents.

Anticipated Impacts of the Use

State and federal regulations continually evolve to respond to fishery management needs. Regulations, combined with law-enforcement efforts of State and refuge personnel, minimize impacts from recreational fishing to fisheries resources, other refuge resources and other users. Although potential impacts on refuge resources and/or other refuge users are more likely at popular use areas such as Wellesley and Jatahmund lakes, they are believed to be below levels that would cause population, genetic, or natural diversity changes.

Because of the relatively low levels of use and limited access, the anticipated and observed impacts to Refuge habitats are minimal. Recreational fishing does pose a potential impact or threat of the introduction of invasive species carried in or on airplane floats, boat trailers, pack stock, pack stock feed, pets, or clothing. However, this is not known to have occurred within the Refuge to date. Temporary displacement and/or disturbance to wildlife can occur during fishing activities and associated activities such as boat use and airplane take-offs and approaches to landings. Some of the other activities commonly associated with fishing, such as camping, hiking, backpacking, floating, and other incidental uses may result in adverse impacts to vegetation and wildlife. However, these impacts are anticipated to remain relatively minor or negligible, and localized to specific areas of use such as individual lakes, campsites, campgrounds, trails, and other facilities. A more detailed

discussion of these impacts can be found in the revised Tetlin Refuge Comprehensive Conservation Plan (in press).

ADF&G has periodically stocked Hidden Lake, which is on the Refuge, with rainbow trout since 1982 to enhance recreational fishing opportunities. The Statewide Stocking Plan for Recreational Fisheries details future stocking plans for this and other waterbodies throughout Alaska (ADF&G 2007). Rainbow trout do not occur naturally within the Upper Tanana Region. However, because this lake has no inlet or outlet, impacts to other refuge resources and their habitats are confined to the lake itself. Past illegal ORV use to access this lake has caused trail degradation, erosion, and vegetation impacts in the past, but the illegal use has been eliminated and impacts mitigated. Trail reconstruction and other mitigation measures are expected to maintain future impacts associated with recreational angler access to Hidden Lake at acceptable levels.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan that are relevant to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Management direction is provided in the revised Comprehensive Conservation Plan for the Refuge. This directs implementation of the Refuge's fishery management plan and monitoring of wildlife-dependent recreational fishing activities. Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure all fishing activities remain compatible with refuge purposes.

State of Alaska sport fishing regulations apply to recreational fishing on the Refuge. The refuge staff will work cooperatively with the State's regulatory process to maintain harvest regulations necessary and appropriate to minimize adverse impacts to native fisheries resources. To minimize impacts on refuge lands and resources, law enforcement patrols will routinely be conducted in an effort to maximize compliance with applicable policies, rules, and/or regulations.

Refuge staff will reevaluate the State's stocking of Hidden Lake annually to monitor biological impacts and user demand. If impacts to natural populations of fish and wildlife, or their habitat is documented, the stocking program will be terminated.

Justification

The National Wildlife Refuge System Improvement Act of 1997, identifies recreational fishing as one of six priority public uses on national wildlife refuges. The law states that, when managed in accordance with principles of sound fish and wildlife management and administration, fishing and the other priority wildlife dependent recreational uses "...have been and are expected to continue to be generally compatible uses." The Act further states that these priority public uses should receive enhanced consideration over other general public uses in refuge planning and management, and

directs the U.S. Fish and Wildlife Service (Service) to provide increased opportunities for the public to safely engage in traditional outdoor activities such as fishing and hunting.

Recreational fishing is a traditional activity that Congress intended to preserve when the Refuge was established by ANILCA. As previously stated, recreational fishing on the Refuge provides the public with safe and enjoyable recreational opportunities. To reduce impacts to fishery resources and to provide the continued opportunity for subsistence uses of these species by local rural residents, both the Federal Subsistence Board and Alaska Board of Fisheries regularly adopt regulations in response to fish population levels and management needs. These regulations currently provide adequate protection for the Refuge's fishery resources, continued subsistence opportunities, and other refuge purposes.

There are some potential impacts from the modes of access used for fishing on the Refuge. Section 1110(a) of ANILCA allows for use of snowmachines (subject to adequate snow cover or frozen river conditions), motorboats, airplanes, and nonmotorized surface transportation methods on Alaska refuges for traditional activities, subject to reasonable regulations to protect the natural and other values. Over the past 26 years, such means of access used in conjunction with fishing on the Refuge, as currently regulated by the Service, have not materially interfered with or detracted from refuge purposes. Should use of motorized transportation grow to levels where it interferes with or detracts from refuge purposes, appropriate management steps would be taken to maintain compatibility.

After fully considering the impacts of this activity, as described previously in the "Anticipated Impacts" section of this Compatibility Determination, it is my determination that recreational fishing activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System.

Supporting Documents

- ADF&G 2007. Statewide Stocking Plan for Recreational Fisheries.
<http://www.sf.adfg.state.ak.us/statewide/hatchery/stockingplan.cfm>. Accessed on February 28, 2007.
- USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.
- USFWS. 1990. Tetlin National Wildlife Refuge fishery management plan. Fairbanks Fishery Assistance Office, Fairbanks, Alaska, USA.
- USFWS. 1994. Compatibility determination for recreational and subsistence uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager/
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 15-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X** Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Recreational Hunting (Wildlife Dependent Recreation)

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), commercial and private fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, dog retrieving, camping, picnicking, firewood gathering, berry picking, fishing, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

Recreational hunting is a wildlife-dependent priority public use (National Wildlife Refuge System Administration Act, as amended). The use includes all activities typically associated with recreational hunting, such as searching, stalking, pursuing, harvesting and retrieving wildlife that can be legally hunted. Other activities associated with recreational hunting such as camping, backpacking, hiking, various means of access, and other incidental uses are considered part of wildlife-dependent hunting uses.

The Tetlin Refuge provides recreational hunting opportunities for a number of wildlife species common in the eastern interior of Alaska. Recreational hunting on the Refuge has occurred prior to and since its establishment in 1980. For the most part, these recreational hunting opportunities are regulated by the State of Alaska. However, in some cases, Federal subsistence hunting regulations passed by the Federal Subsistence Board may affect recreational hunting opportunities on Refuge lands. The Alaska hunting regulations currently provide hunting seasons for moose, brown/grizzly bear, black bear, Dall sheep, wolf, wolverine, beaver, coyote, fox, lynx, squirrels, snowshoe hares, various species of waterfowl, sandhill cranes, upland birds, and other species on the Tetlin Refuge. Although the State hunting regulations provide no recreational caribou hunting seasons on the Refuge at this time, they may provide such hunting opportunities again if the Alaska Board of Game determines such seasons are warranted and passes regulations to allow such harvest.

Recreational hunting use patterns are estimated primarily from direct observation by Refuge staff and from information in annual reports provided by air-taxi operators and big game guides permitted to operate on the Refuge. Recreational hunting generally occurs from August through May, predominantly in conjunction with the big game hunting seasons in August and September, and waterfowl sport hunting seasons that open September 1. Participation and harvests are thought to be low, but accurate estimates are not available. A more detailed description of recreational hunting within the Refuge can be found in the revised Tetlin Refuge Comprehensive Conservation Plan (in press) and 1997 Public Use Management Plan.

Traditional forms of access on the Refuge include fixed-wing aircraft, motorboats, snowmachines, nonmotorized watercraft, dog sled, foot, snowshoe, cross-country skis, pack horses and mules, and other nonmotorized means. Only the northern portion of the Refuge is road accessible. The modes of access most commonly used for recreational hunting on the Refuge include foot access from the Alaska Highway, boats, airplanes (both commercial air taxis and private airplanes), and snowmachines. Little cross-country skiing or snowshoeing occurs. A number of local residents own sled dogs for competitive racing, but dog sled access for recreational activities within the Refuge is not common. Use of helicopters, jet-powered personal watercraft, and airboats is specifically excluded from this evaluation.

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage wildlife-dependent recreational hunting activities at existing and projected levels. Administrative staff time (10 to 20 staff days) primarily involves maintenance of boat launches and designated trails, phone conversations, written correspondence, personal interaction with visitors at the visitor center, review and commenting on proposed changes to State hunting regulations through the State regulatory process, and entering activity data into a database. Field work associated with administering the program primarily involves surveys and studies to monitor game animal populations, and law-enforcement patrols (as many as 52 staff days) via vehicle, airplane, and boat to increase compliance by recreational users with state and federal regulations and to foster respect for the activities and property of local residents.

Anticipated Impacts of the Use

Harvest levels are managed by State and Federal regulations, which continually evolve in response to wildlife population changes and management needs. Refuge and State law enforcement officers routinely patrol the Refuge to increase compliance with State and Federal regulations and permit conditions. Regulations, combined with the law-enforcement efforts minimize impacts of recreational hunting to Refuge resources and other users.

Recreational hunting activities may, in some cases, result in competition for limited resources such as preferred campsites or use areas, or interfere with subsistence users and/or other Refuge users. Both the Federal Subsistence Board and the Alaska Board of Game regularly adopt regulations to maintain

sustainable harvest levels and reduce impacts to resources and to support opportunities for continued subsistence uses by local residents. Numerous regulation changes have been made by these boards in recent years to address the Refuge's wildlife resource management needs. The magnitude of use is effectively regulated through hunting regulations.

Because of relatively low overall levels of use and difficult access, impacts to refuge habitat are anticipated to remain minor. Temporary displacement and/or disturbance to wildlife can occur while stalking and taking game animals, during motorized boat use, airplane take-offs and approaches to landings, use of snowmachines, and at campsites or other areas of concentrated human activities. There are no known long-term impacts to refuge wildlife populations from this disturbance. In addition some localized vegetation damage will generally occur in the immediate vicinity of campsites and commonly used points of access. An additional potential impact or threat associated with access in conjunction with hunting is the introduction of invasive species carried in on airplane floats, boat trailers, pack stock, pack stock feed, pets, or clothing. This is not known to have occurred within the Refuge to date.

Significant impacts would likely result from use of all-terrain-vehicles (ATVs). However, ATVs are not traditional modes of access and generally not allowed on the Refuge.

A more detailed discussion of the impacts associated with recreational hunting within the Refuge can be found in the Tetlin Refuge Comprehensive Conservation Plan (In press) and Public Use Management Plan (USFWS 1997).

Public Review and Comment

The public is invited to comment on this draft 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 compatibility determinations was published in the Federal Register. The draft determinations are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan that are relevant to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

General recreational hunting activities on Refuge lands do not require a special use permit. State of Alaska sport hunting regulations apply to recreational hunting on the Refuge. The Refuge staff will work cooperatively with the State's regulatory process to maintain harvest regulations necessary and appropriate to minimize adverse impacts to native wildlife resources. To minimize impacts on Refuge lands and resources, law enforcement patrols will routinely be conducted in an effort to maximize compliance with applicable policies, rules, and/or regulations.

The Refuge will continue to monitor frequently used campsites and access points for impacts on refuge habitat and potential introduction of invasive species. Monitoring of wildlife populations as described in the 1986 Tetlin Refuge Wildlife Inventory and Monitoring Plan, or future revisions of that plan, and additional management actions will be taken when necessary to insure that impacts from recreational hunting and associated uses remain at minor levels that are compatible with Refuge purposes.

Justification

The National Wildlife Refuge System Improvement Act of 1997, identifies recreational hunting as one of six priority public uses on national wildlife refuges. The law states that, when managed in accordance with principles of sound fish and wildlife management and administration, hunting and the other priority wildlife dependent recreational uses "...have been and are expected to continue to be generally compatible uses." The Act further states that these priority public uses should receive enhanced consideration over other general public uses in refuge planning and management, and directs the U.S. Fish and Wildlife Service (Service) to provide increased opportunities for the public to safely engage in traditional outdoor activities such as fishing and hunting.

Recreational hunting is a traditional activity that Congress intended to preserve when the Refuge was established by ANILCA. As previously stated, recreational hunting on the Refuge provides the public with safe and enjoyable recreational opportunities. To reduce impacts to wildlife resources and to provide the continued opportunity for subsistence uses of Refuge resources by local rural residents, both the Federal Subsistence Board and Alaska Board of Game regularly adopt regulations in response to game population levels and management needs. These regulations currently provide adequate protection for the Refuge's wildlife resources, continued subsistence opportunities, and other Refuge purposes.

There are potential impacts from the modes of access used for hunting on the Refuge. Section 1110(a) of ANILCA allows for use of snowmachines (subject to adequate snow cover or frozen river conditions), motorboats, airplanes, and nonmotorized surface transportation methods on Alaska refuges for traditional activities such as hunting, subject to reasonable regulations to protect the natural and other values. Since establishment of the Refuge, such means of access as currently regulated by the Service, have not materially interfered with or detracted from Refuge purposes. Should use of currently used modes of motorized transportation grow to levels where it interferes with or detracts from refuge purposes, appropriate management steps would be taken to maintain compatibility.

After fully considering the impacts of this activity, as described previously in the "Anticipated Impacts" section of this compatibility determination, it is my determination that recreational hunting activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System.

Supporting Documents

- Tetlin National Wildlife Refuge. 1986. Wildlife inventory and monitoring plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska, USA.
- USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.
- USFWS. 1990. Tetlin National Wildlife Refuge fishery management plan. Fairbanks Fishery Assistance Office, Fairbanks, Alaska, USA.
- USFWS. 1994. Compatibility determination for recreational and subsistence uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 15-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Scientific Research

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), fixed-wing aircraft and helicopter access, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, camping, firewood gathering, tents, tent frames, tent platforms, weatherports, and existing cabins, field caches, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

This compatibility determination addresses the full spectrum of uses associated with the scientific research of biological, geological, aquatic, paleontological, archaeological, cultural, social and other resources that occur on the Tetlin Refuge. The term research in this document is intended to include scientific studies, surveys and monitoring activities. The scope of this determination includes research activities that are not conducted in support of Refuge management needs or by the Alaska Department of Fish and Game (ADFG). Routine Refuge management activities, including research

and surveys, that are conducted by the U.S. Fish and Wildlife Service (Service) or by other agencies or entities for, or in cooperation with Refuge programs, do not require compatibility determinations. The Alaska Department of Fish and Game (ADF&G) in particular conducts many research or resource monitoring activities in cooperation with the Refuge. Other ADFG management activities on the Refuge that are outside the realm of Refuge management needs are addressed in a separate compatibility determination.

This compatibility determination includes all means of investigations and sampling efforts, access, camping/lodging facilities and activities, and other uses typically associated with research projects. Specific authorized means and locations of access for activities on the Refuge will be specifically authorized for any research that is permitted. Potential means of access include airplanes, helicopters, motorboats, snowmachines, nonpowered watercraft, dog sleds, foot, snowshoes, and cross-country skis. Potential lodging and camp facilities includes tents, tent frames, weatherports, existing cabins, temporary fuel storage and caches.

A wide range of various research activities have been conducted on the Refuge since its creation. Future activities would likely be dispersed and of low magnitude.

Availability of Resources

Adequate Refuge personnel and base operational funds are available to manage research activities at existing (generally no more than two requests per year) and projected levels. Administrative staff time (not more than 10 days) primarily involves phone conversations, written correspondence, administration of special use permits, proposal review, and personal interaction with researchers. Field work associated with administering the use primarily involves monitoring researchers' compliance with the terms of the permit.

Anticipated Impacts of the Use

Many factors will affect the extent of impacts from individual research projects. These factors include target resources, number of researchers, methods, duration and frequency of sampling activities, modes of transportation, type of aircraft and amount of aircraft use, type and location of field lodging (camps), fuel storage, garbage and human waste management, and location of access points. Research activities require a special use permit from the Refuge, which will contain provisions to minimize or avoid impacts on the Refuge's fish, wildlife and plant resources, and on other Refuge users. However, some minor impacts are unavoidable.

Some research projects may require or result in some fish or wildlife mortality. Temporary displacement and/or disturbance to fish and wildlife can occur during sampling efforts, and motorized boat use, airplane take-offs and approaches to landings, use of snowmachines, helicopters, and at campsites or other areas of concentrated human activities. There are no known long-term impacts to refuge fish and wildlife populations from such disturbance, and such impacts can be minimized by permit conditions. In addition some localized vegetation damage will generally occur in the immediate vicinity of campsites, sampling locations, and commonly used points of access. Some research activities entail excavation and/or collection of soils and plant materials, which result in localized disturbances. An additional potential impact or threat associated with access in conjunction with these uses is the introduction of invasive species carried in on airplanes, boats or boat trailers, pack stock, pack stock feed, pets, or clothing. This is not known to have occurred within the Refuge to date.

Overall, scientific research and associated activities should have only minor impacts on the fish, wildlife and other Refuge resources (e.g., water quality, soil, and vegetation), and on other Refuge users, including subsistence users, because of the limited scope of such activities and the administrative scrutiny that the Refuge maintains over such uses.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, public comments addressing elements of the draft Comprehensive Conservation Plan revision that are relevant to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Research activities not conducted by or in cooperation with the Service must be authorized by a special use permit from the Refuge. Refuge staff will monitor all research being conducted on the Refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, are needed to ensure research activities remain compatible with Refuge purposes. Monitoring of all authorized research activities will be continued to ensure compliance with specific terms and conditions tailored for each research project's permit as well as conditions incorporated into all research permits. Research activities authorized on Refuge lands will require the following conditions and others as necessary to minimize impacts and maintain compatibility with the purposes for Tetlin Refuge:

The conditions listed below are generally included on Refuge permits issued for research activities, mostly to minimize impacts and ensure compatibility of these uses with Refuge purposes. Conditions included on each permit may vary somewhat as needed or appropriate for the specific operations being proposed, and if changing situations warrant revisions.

1. Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 (sub-chapters B and C) Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for immediate revocation of this permit and could result in denial of future permit requests for lands administered by the U.S. Fish and Wildlife Service. This provision applies to all persons working under the authority of this permit (e.g., assistants). Appeals of decisions relative to permits are handled in accordance with Title 50 Code of Federal Regulations Part 36.41.
2. The permittee is responsible for ensuring that all employees, party members, aircraft pilots, and any other persons working for the permittee and conducting activities allowed by this permit are familiar with and adhere to the conditions of this permit.
3. Any problem with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and/or Alaska Department of Fish and Game, and be salvaged in accordance with State regulations.
4. The permittee and permittee's clients do not have the exclusive use of the site(s) or lands covered by this permit, except for authorized camp facilities.

5. This permit may be canceled or revised at any time by the refuge manager in case of emergency (e.g., high fire danger, flooding, unusual resource problems etc.).
6. Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with: (1) proof of appropriate comprehensive general liability (\$300,000 each occurrence, \$500,000 aggregate), marine liability, and/or aviation passenger liability insurance covering all aspects of operations throughout the annual use period; (2) aircraft and other vehicle types to be used, with identification information, if different from the original permit or previous year; (3) changes in names of assistant guides and other employees; and (4) any other changes in information provided in the original permit/proposed operations plan.
7. In accordance with the Archeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historic artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical or archaeological specimens or artifacts on refuge lands are prohibited.
8. Permittees shall maintain their use areas in a neat and sanitary condition. Per Alaska Dept. of Environmental Conservation Code 18 AAC 72.021(e),(h), latrines, seepage pit, etc., must be located at least 100 feet, measured horizontally to the nearest edge of the mean annual high water level of lakes, rivers, streams, springs, sloughs, or mean higher high water level of coastal waters. No privies are to be installed in areas subject (no less than 4 feet to maximum water table elevation) to flooding. All property of the permittee (except authorized cabins and/or tent frames) must be removed from refuge lands upon completion of permitted activities.
9. The construction or clearing of landing strips or pads are prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
10. The use of off-road vehicles (except snow machines) is prohibited unless specifically authorized in writing in this permit.
11. The operation of aircraft at altitudes and in flight paths resulting in the herding, harassment, hazing, or driving of wildlife is prohibited. It is recommended that all aircraft, except for take off and landing, maintain a minimum altitude of 2,000 feet above ground level (AGL).
12. Construction of cabins or other permanent structures is prohibited.
13. Any action by a permittee or the permittee's employees which unduly interferes with or harasses other refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to, low flights over camps or persons at less than 500 feet (unless landing) and parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft or persons.
14. The permittee's research plan, as amended and accepted by the U.S. Fish and Wildlife Service, is hereby incorporated in its entirety as a special condition. **All deviations from the operations plan must receive prior written approval by the refuge manager or his designee.**
15. A copy of this permit must be in the permittee's possession at all times while exercising the privileges of this permit.
16. All non-combustible waste materials must be removed from the refuge (not buried) upon the permittee's and/or clients' departure. The permittee is responsible for removal of clients' garbage.
17. Tent platforms are prohibited unless specifically requested in permittee's operations plan.
18. The use of helicopters is prohibited (unless specifically approved by the refuge manager).

19. Research concerning fish, wildlife, and other Refuge resources is expected to contribute to Refuge purposes of conserving fish and wildlife populations and protection resources of the Refuge.

20. When applicable and prior to initiating field work, the permittee must provide documentation that recognized Institutional Animal Care and Use Committee (IACUC) personnel have reviewed and approved (as required by the Animal Welfare Act) activities and proposed procedures involving invasive procedures or procedures that could harm or materially alter the behavior of an animal under study.

21. When applicable and prior to initiating field work, the permittee must obtain State and Federal collecting permits in compliance with the Service's *Regional Collecting Policy and Permit Requirements*.

22. The Refuge manager, upon request, shall be afforded the opportunity and logistical support to accompany the permittee from the nearest commercial transportation site for the purpose of inspection and monitoring permittee activities. A final inspection trip provided by the permittee of the areas of use may be required by the Refuge manager to determine compliance with the terms of this permit.

23. Temporary storage of fuel will only be allowed on a case-by-case basis and will be conducted in accordance with federal regulations and Service policy.

24. The permittee shall provide the Refuge manager with a report of activities under this permit within 30 days of permit expiration.

25. Upon completion, the permittee will provide the Refuge manager a complete copy of all research results. This will include a discussion and description of the methodology used, the analyses conducted, the results of those analyses, and any conclusions or findings related to the research conducted. At the request of the Refuge manager a summary of the research results can be substituted.

Justification

Natural and social science information is necessary for the proper management of units within the National Wildlife Refuge System. It is the policy of the Service (4 RM 6.1) to encourage and support research and management studies in order to provide scientific data upon which to base decisions regarding management of units of the refuge system.

The Service will also permit use of a refuge for other investigatory scientific purposes when such use is compatible with the objectives for which the refuge is managed. Priority will be given to studies that contribute to the enhancement, protection, use, preservation, and management of native wildlife populations and their habitats in their natural diversity. All proposed research not associated with Refuge management will be thoroughly evaluated prior to authorization and then monitored closely to ensure that the activities do not materially interfere with or detract from the Refuge purposes or the mission of the National Wildlife Refuge System.

After fully considering the impacts as described previously in the "Anticipated Impacts" section of this compatibility determination, it is my determination that scientific research activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System.

Supporting Documents

USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.

Appendix E: Compatibility Determinations

USFWS. 1994. Compatibility determination for research projects conducted on refuge lands by non-Service personnel. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska

USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X** Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: State of Alaska Management Activities

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), fixed-wing aircraft and helicopter access, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, camping, firewood gathering, tents, tent frames, tent platforms, weatherports, and existing cabins, field caches, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

This compatibility determination addresses management activities conducted on the Tetlin Refuge by the Alaska Department of Fish and Game (ADF&G) that may not be encompassed by the Master Memorandum of Understanding between the ADF&G and the U.S. Fish and Wildlife Service, signed March 13, 1982, and law enforcement activities conducted by Alaska Department of Public Safety. State management activities included in this compatibility determination include: fish, wildlife, vegetation or habitat surveys, and collection of fish, wildlife or plant specimens or their parts, and law-enforcement activities. This determination does not address predator management, fish and

wildlife control (with the exception of emergency removal of individual rogue animals), reintroduction of species, nonindigenous species management, pest management, disease prevention and control, fishery restoration, fishery enhancement, indigenous fish introductions, nonindigenous species introductions, construction of facilities, or any other nonpermitted activity that could alter the Refuge's ecosystems. Separate compatibility determinations addressing specific proposals will be required for those activities. All management and research activities conducted by ADF&G under a specific cooperative agreement with the U.S. Fish and Wildlife Service to fulfill one or more purposes of the Refuge or the National Wildlife Refuge System mission do not require a compatibility determination.

This compatibility determination takes into consideration other uses associated with State management uses, such as access and field lodging/camping activities and facilities. Potential means of access include airplanes, helicopters, motorboats, snowmachines, nonmotorized watercraft, dogsleds, foot, snowshoes, and cross-country skis. Potential lodging and facilities include tents, tent frames, tent platforms, weatherports, existing permitted cabins, and caches.

Availability of Resources

Adequate Refuge personnel and base operational funds are available to manage activities at existing and projected levels. Administrative staff time (as many as 10 staff days annually) primarily involves phone conversations, written correspondence, administering special use permits and personal interaction with State personnel regarding ongoing activities. Field work associated with administering the program primarily involves monitoring (when applicable) the state's activities to ensure all activities are consistent with the Master Memorandum of Understanding, or in compliance with any applicable special use permits.

Anticipated Impacts of the Use

Temporary displacement and/or disturbance to fish and wildlife can occur during field activities, motorized boat use, airplane take-offs and approaches to landings, use of snowmachines, helicopters, and at campsites or other areas of concentrated human activities. There are no known long-term impacts to refuge fish and wildlife populations anticipated from such disturbance. In addition some localized vegetation damage will generally occur in the immediate vicinity of campsites or other areas of concentrated activities. Such uses may occasionally require mortality of some animals that are collected or captured. Because ADF&G managers and Public Safety law enforcement personnel are trained professionals, we anticipate that the negative impacts from routine State management and law-enforcement activities will be minor, and more than compensated by the long-term benefits these activities will have on fish, wildlife, and plant resources and to persons who use those resources. Law enforcement activities will significantly benefit Refuge resources and other users by reducing illegal harvests and other illegal activities. These positive impacts will support Refuge purposes and goals and the Service mission.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that are relevant to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

_____ Use is Not Compatible

 Use is Compatible**Stipulations Necessary to Ensure Compatibility**

Refuge staff will monitor State management activities on the Refuge and to determine what additional management actions, if any, are needed to ensure these uses remain compatible with Refuge purposes, and in compliance with established agreements with the State agencies.

Justification

Section 1314 of ANILCA states Congressional intent to maintain significant State responsibility and authority for management of fish and wildlife on Federal public lands in Alaska, except for the subsistence management provisions in Title VIII of the Act. In addition, Service policy supports and encourages cooperation with State management of fish and wildlife resources on Refuge lands. I also recognize that State law enforcement activities are critical to the protection of Refuge resources. After fully considering the minor potential impacts and long-term benefits described in the “Anticipated Impacts” section of this compatibility determination, it is my determination that State management and law enforcement activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System. Overall, these uses support the Refuge purposes and goals and the System mission.

Supporting Documents

USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: _____

NEPA 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

COMPATIBILITY DETERMINATION

Use: Subsistence Activities

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), hunting, fishing, trapping, fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, camping, picnicking, cabins, tent frames and weatherports, berry picking, gathering of firewood, house logs and harvesting of other natural resources, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

This compatibility determination addresses activities associated with the harvesting and gathering of fish, wildlife and plant resources on the Tetlin Refuge by local rural Alaska residents for subsistence purposes. Subsistence activities and lifestyles occurred in the area now occupied by the Tetlin Refuge since the prehistoric existence of man in the area, approximately 12,000 ago. Subsistence uses continue on the Refuge today, although the nature and manner that these uses occur have been significantly influenced by evolution of contemporary society. This document addresses “subsistence

uses” as defined in ANILCA and U.S Fish and Wildlife regulations to mean: *the customary and traditional uses by rural Alaska residents of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for the making and selling of handicraft articles out of nonedible by-products of fish and wildlife resources taken for personal or family consumption; for barter, or sharing for personal or family consumption; and for customary trade.*

Subsistence activities addressed in this document include hunting, fishing, berry picking, and gathering firewood, house logs and other plant materials (e.g., Labrador tea, muskrat cache, birch bark), camping, and the use of cabins permitted in support of subsistence activities. This compatibility determination also considers means of access that has or may be used for subsistence activities within the Refuge, including snowmachines, motorboats, airplanes, non-motorized watercraft, dog sleds, pack horses and mules, foot access or hiking, cross-country skis, and snowshoes. Trapping by local residents can also be considered a subsistence activity, but is considered under a separate compatibility determination.

Most subsistence uses on Refuge lands are associated with the harvest of fish, wildlife and plant resources. Subsistence hunting and fishing activities are managed by Federal regulations that generally offer qualified subsistence users longer and more liberal seasons, bag limits and methods and means of harvesting resources than those allowed in the State’s general sport hunting and fishing regulations. Eligibility to harvest resources on the Refuge for subsistence uses is determined by the Federal Subsistence Board and Alaska Migratory Bird Co-management Council on a geographical or community basis, rather than individual basis. All residents of rural communities or areas that have been determined to have a history of customary and traditional use of fish and wildlife resources in the Refuge are eligible to participate in subsistence uses of those resources on the Refuge. All of the Upper Tanana Region and other surrounding areas are considered rural, and the eligibility to participate in the subsistence uses of fish and wildlife resources within the Refuge applies to all residents of broad areas around the Tetlin Refuge. In some cases, residents of distant communities or areas are eligible to subsistence hunt and fish on the Refuge. The rural and customary and traditional use determinations affect the level of subsistence uses on the Refuge and thus will affect the impacts of such uses.

Most subsistence activities on the Tetlin Refuge involve residents from nearby communities, particularly Northway, Tetlin, Tok, and Tanacross, Dot Lake, Healy Lake, and persons who live in outlying areas near these communities. Many of these residents of the local area have lifestyles and economies that largely depend on subsistence resources. To many, subsistence activities are not just a way of obtaining food, shelter, clothing, etc., but are an important mechanism for maintaining cultural values such as connectivity to the land, kinship, community, respect for elders, hospitality, sharing resources, and the passing of values to younger generations. In addition, many residents in the area prefer traditional wild foods over commercially available foods. The pool of qualified subsistence users of the Refuge is growing, as the population of qualified rural communities grow.

Whitefish is one of the mainstay subsistence foods that is harvested on the Refuge by nearby communities. Other fish, including northern pike, burbot, Arctic grayling, and lake trout, are also used but to a lesser extent.

Many wildlife resources are harvested on the Refuge for subsistence purposes, including caribou, moose, black bears, Dall sheep, grizzly bears, wolf, wolverine, beaver, marten, mink, muskrats, coyote, fox, lynx, squirrels, spruce, ruffed and sharp-tailed grouse, ptarmigan, many species of waterfowl, and sandhill cranes. Wildlife harvested on the Refuge are used primarily for food, clothing, tools, handicraft articles and occasions for special spiritual and traditional ceremonies such as funeral or memorial potlatches.

Caribou and moose are important traditional subsistence resources that are widely used by residents of the local villages. Caribou herds (primarily the Nelchina and Fortymile Herds) are hunted on the Refuge during a Federal subsistence season which is open when caribou are present during seasonal migrations, mostly during late fall through spring. Since 2000, harvest reports indicate 7-43 caribou have been taken from within the Refuge by subsistence hunters each year. Federal subsistence moose hunting seasons on the Refuge are currently open August 24-28, September 8-17, and November 20-30. Nearly all moose harvest on the Refuge occurs during the fall season when the general State sport season is also open.

Waterfowl also provide important subsistence foods for local residents of villages near the Refuge. Much subsistence waterfowl hunting on the Refuge occurs during the general fall/winter waterfowl hunting season that is open to all persons. Recent regulations passed by the Migratory Bird Co-management Council allow subsistence harvest of most species of waterfowl, cranes, waterbirds, and shorebirds that occur on the Tetlin Refuge during most of the spring and summer as well. The regulations also allow for egg gathering during May 1 – June 14. It is currently unknown what level of bird and egg harvests are occurring or is likely to occur in the near future.

Many other Refuge resources are subject to subsistence uses, but levels of harvest are not known. The distribution and timing of subsistence uses vary according to seasonal availability of resources, accessibility and proximity from villages, and regulatory seasons.

A more detailed discussion of subsistence uses and harvest can be found in the revised Tetlin Refuge Comprehensive Conservation Plan and 1997 Public Use Management Plan.

Availability of Resources

Available Refuge personnel and base operational funds have been marginally adequate to monitor and manage subsistence uses at existing levels, but the adequacy of current resources to manage uses at projected levels depend on future regulatory actions or other changes that may affect the level of subsistence use demands on the Refuge. Current Refuge base funding and personnel allows for only limited amount of survey or monitoring of subsistence activities and harvest levels. While the Refuge continues to monitor populations of large and small mammals and various waterfowl species that are harvested for subsistence purposes, available funding needed to monitor the abundance and distribution of subsistence resources and their harvest levels has been declining while the demand on resources increases.

Approximately 800 - 1000 staff days and \$250,000-\$300,000 are typically spent managing various activities associated with subsistence uses on an annual basis. Much of the Refuge's funding and personnel resources expended for subsistence management overlap with other Refuge uses, particularly recreational hunting and fishing. Subsistence related tasks are primarily conducted by the refuge subsistence biologist, general biologists, refuge information technician, pilot, refuge manager, deputy manager/law enforcement officer, and two to three seasonal technicians. Management activities primarily include wildlife studies and surveys for the management of subsistence species, administering Federal subsistence permit hunts, harvest monitoring and reporting, law enforcement, administering permits for subsistence cabins on the Refuge, and participation in the regulatory development process with the Federal Subsistence Board, Alaska Boards of Fisheries and Game, the Regional Advisory Council, and local Advisory Committees.

Anticipated Impacts of the Use(s)

The Federal Subsistence Board, in cooperation with local advisory committees, regional advisory councils, and the State of Alaska, regularly adopts subsistence hunting and fishing regulations, except for subsistence migratory bird hunting, in response to subsistence needs, changes in fish and wildlife populations and other management needs. Federal subsistence regulations adopted by the Board must be found to be consistent with the "conservation of healthy populations of wildlife." Subsistence

harvest of migratory birds in Alaska is managed by the Alaska Migratory Bird Co-management Council, which attempts to maintain regulations that provide continued opportunities for traditional subsistence uses and conserve migratory bird populations.

The Refuge monitors the distribution and abundance of moose, caribou, and some selected species of migratory birds (primarily swans and ducks) occurring on the Refuge. Subsistence uses of these resources do not appear to have significant adverse effects on these resources at this time. Relatively low numbers of caribou, primarily from the Nelchina Caribou Herd, are harvested on the Refuge by local subsistence hunters during seasonal migrations across the Refuge. The reported harvest levels are a small portion of the overall harvest of the Nelchina Caribou Herd. Impacts of subsistence hunting of moose are not known because of incomplete harvest reporting, and other factors affecting moose populations. Moose densities on the Refuge have remained stable at relatively low levels for many years. Based on limited data, the current level of subsistence hunting of waterfowl and other migratory birds on the Refuge does not appear to have a significant adverse effect on the bird populations. There is no documented or known significant adverse impacts from subsistence uses of other resident fish and wildlife populations on the Refuge, but the Refuge does not have funding to monitor the populations of many subsistence resources or harvest levels.

Anticipated impacts from berry picking and other plant-harvesting activities are insignificant based upon the knowledge of Refuge staff. Cutting of trees for firewood and cabin logs is minimal on the Refuge and subject to regulations to ensure minimal impacts.

The most common modes of access to the Refuge for subsistence purposes include snowmachines, motor boats, and foot. Airplane use for subsistence activities is minor. Impacts to habitat caused by access are generally minor and localized. Much of the access by subsistence users is by boat, thereby causing very little impact to Refuge habitat. Snowmachine use occurs during the winter when there is generally snow cover to prevent impacts to vegetation and soils. However, some snowmachine trails are easily visible during the summer. Airplane use on the Refuge by subsistence users is minor and landings occur primarily on existing unmaintained landing strips on gravel bars or other sparsely vegetated sites, or by float equipped aircraft on lakes and ponds.

Temporary displacement and/or disturbance to wildlife can occur while stalking and taking game animals, during motorized boat use, airplane take-offs and approaches to landings, use of snowmachines, and at campsites or other areas of concentrated human activities. There are no known long-term impacts to refuge wildlife populations from this disturbance. In addition some localized vegetation damage generally occurs in the immediate vicinity of subsistence cabins, campsites, and commonly used points of access. Use of permanent structures such as cabin sites renders longer-term localized impacts on Refuge plants. However, there are only 3 cabins currently permitted on Refuge lands for subsistence activities. This level of use does not result in significant overall impacts to the Refuge. An additional potential impact or threat associated with access is the introduction of invasive species carried on airplanes, boats, pack stock, pack stock feed, pets, or clothing. However, this is not known to have occurred within the Refuge to date.

Overall, the level of impacts from current levels of subsistence uses of the Refuge does not appear to have significant long-term impacts on Refuge resources, although the impacts of subsistence hunting and fishing needs to be monitored more thoroughly. A more detailed discussion of the impacts associated with subsistence uses within the Refuge can be found in the Tetlin Refuge Comprehensive Conservation Plan (In press) and Public Use Management Plan (USFWS 1997).

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the

Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that pertained to the specific uses evaluated in this determination will be 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 Refuge (In press) and the 1986 Tetlin Refuge Wildlife Inventory and Monitoring Plan. This direction includes implementation of applicable sections of the Refuge's wildlife inventory plan, and adequate monitoring of public-use activities. 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.

The Federal subsistence management program provides for review and design of subsistence hunting and fishing regulations that ensure protection of fish and wildlife resources on Refuge lands, except for migratory birds. The Alaska Migratory Bird Co-management Council regulates subsistence harvest of migratory birds to ensure their conservation. Service regulations address access, harvests of plants, and use of cabins for subsistence purposes on Alaska refuges to ensure compatibility of these uses. Use or construction of subsistence cabins also require a special use permit from the Refuge that will include provisions designed to ensure compatibility. Should use of currently used modes of motorized transportation, new cabin construction or any other subsistence activity grow to levels where it interferes with or detracts from refuge purposes, appropriate management steps would be taken to maintain compatibility. All-terrain-vehicles are not traditional modes of access for subsistence uses and generally not allowed on the Refuge.

Justification

One of the purposes of the Refuge is to provide for continued opportunities for subsistence uses by local rural residents. However, subsistence uses must be 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 requires that we ensure rural residents have reasonable access to subsistence resources on the Refuge, and that we allow them use of snowmachines, motorboats, and other traditionally used means of surface transportation, subject to reasonable regulation.

To reduce impacts to fish, wildlife and plant resources the Federal Subsistence Board and Alaska Migratory Bird Co-Management Council regularly adopt regulations in response to fish and wildlife resource population levels and management needs. These regulations currently provide adequate protection for the Refuge's wildlife resources, continued subsistence opportunities, and other Refuge purposes.

Subsistence activities occurring on the Refuge contribute to one of the purposes of the Refuge while not materially interfering with or detracting from the other purposes of the Refuge or the mission of

the National Wildlife Refuge System. While complete information about subsistence harvest and resource use is not available, current monitoring efforts are focused on those species most likely to be harvested and indicate that populations are generally healthy.

Supporting Documents

- Tetlin National Wildlife Refuge. 1986. Wildlife inventory and monitoring plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska, USA.
- USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.
- USFWS. 1994. Compatibility determination for recreational and subsistence uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X** Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Trapping

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), commercial and private fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, pack horses and mules, cabins, tent frames and weatherports, camping, picnicking, firewood gathering, berry picking, hunting, fishing, wildlife photography, and wildlife observation.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System.

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Use

Trapping is a consumptive use involving the taking of furbearers within seasons established in the Federal subsistence harvest regulations and Alaska trapping regulations, and with a required Alaska trapping license. Trapping primarily involves the use of various types of leg hold traps or snares to catch furbearers, with some provisions to allow licensed trappers to take of furbearers with firearms. Firearms are also sometimes used to dispatch animals caught in traps. Trapping predominantly occurs during the late fall, winter and spring.

State and Federal trapping regulations provide trapping opportunities for a number of furbearers species on the Tetlin Refuge, including beaver, muskrat, coyote, red fox, lynx, martin, mink, weasel, river otter, wolf, and wolverine. Certain other species of wildlife, such as snowshoe hares, squirrels and marmots, may also be taken by traps or snares. Trapping on the Refuge has occurred prior to, and since its establishment in 1980. The few local trappers who use the Tetlin Refuge target primarily muskrat, marten, wolves, wolverine, and lynx. The sale of these furs provides supplemental income to some trappers. This scope of this compatibility determination also includes incidental uses associated with trapping, such as access, camping, trapping cabins, backpacking, hiking, and other incidental activities.

The most common modes of access to and on Refuge lands for trapping uses include snowmachines, foot, and airplanes. Motorboats or other nonmotorized watercraft are generally not used because of frozen conditions during most of the trapping seasons. Use Much of the northern portion of the Refuge is relatively accessible from the Alaska Highway by snowmachines and by foot. Airplanes and snowmachines are more commonly used for with more remote areas of the Refuge. Cross-country skiing and snowshoeing occur infrequently. A number of local residents own sled dogs for competitive racing, but dog sled use as a means of access for trapping activities within the Refuge is not common.

Although furs of animals trapped may be sold, trapping on Tetlin Refuge is not a major commercial venture and typically occurs either as a subsistence or recreational activity.

The annual number of trapper-related visits and harvest of furbearers occurring on the Refuge is unknown, but past harvest surveys and state sealing records indicate the total number of furbearers taken annually likely ranges from several thousand for muskrat and snowshoe hare to less than 200 for wolf, wolverine, and lynx. A more detailed description of trapping within the Refuge can be found in the revised Tetlin Refuge Comprehensive Conservation Plan (In Press) and 1997 Public Use Management Plan.

Availability of Resources

Adequate Refuge personnel and base operational funds are available to manage trapping on Tetlin Refuge. The Alaska Department of Fish and Game administers most management activities associated with trapping. The Refuge staff devotes only a minor amount of time to management of trapping activities, except for annual monitoring and survey of some furbearer populations. A very minor amount of staff time is spent by Refuge staff for answering questions and providing information to the public, and review and commenting on proposed changes to State and Federal trapping regulations. Field work associated with managing this use primarily involves surveys and studies to monitor game animal populations, and occasional law-enforcement patrols.

Anticipated Impacts of the Use

At current and expected levels of use, the anticipated impacts of trapping on Refuge wildlife resources and other users are minor. State and federal trapping regulations are established to maintain harvest levels at sustainable levels, and the number of trappers who use the Refuge is very low. Incidental take of non-target wildlife inevitably occurs but not at a significant level. Most trapping occurs during the winter when snow cover and frozen conditions protect ground surface and vegetation, and there is very limited amount of other uses occurring on the Refuge. There is some minor localized destruction of vegetation associated with clearing trapline trails and collection of firewood and logs for trapping shelters or cabins.

Public Review and Comment

The public is invited to comment on this draft 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 are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan revision that pertained to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

_____ Use is Not Compatible

 X Use is Compatible

Stipulations Necessary to Ensure Compatibility

This use does not require a special use permit. Refuge staff will work cooperatively with the State and Federal regulatory processes to maintain trapping regulations necessary and appropriate to minimize adverse impacts to native wildlife resources. Law enforcement patrols will be conducted in an effort to maximize compliance with applicable policies, rules, and/or regulations.

The Refuge will continue to monitor furbearer populations as described in the 1986 Tetlin Refuge Wildlife Inventory and Monitoring Plan, or future revisions of that plan, and additional management actions will be taken when necessary to insure that impacts from trapping activities remain at minor levels that are compatible with Refuge purposes.

Justification

Trapping is a long-established traditional use on the Refuge that Congress intended to preserve when the Refuge was established by ANILCA. Both the State of Alaska and Federal Subsistence Board manage harvest of furbearing animals to ensure sustainable population levels are maintained.

There are potential impacts from access used for trapping on the Refuge. Section 1110(a) of ANILCA allows for use of snowmachines (subject to adequate snow cover or frozen river conditions), motorboats, airplanes, and nonmotorized surface transportation methods on Alaska refuges for traditional activities such as trapping, subject to reasonable regulations to protect the natural and other values. Since establishment of the Refuge, such means of access as currently regulated by the Service, have not materially interfered with or detracted from Refuge purposes. Should currently used modes of motorized transportation grow to levels where it interferes with or detracts from refuge purposes, appropriate management steps would be taken to maintain compatibility.

After fully considering the impacts of this activity as described previously in the “Anticipated Impacts” section of this compatibility determination, it is my determination that trapping activities on the Refuge do not materially interfere with or detract from the purposes of the Refuge or the mission of the National Wildlife Refuge System.

Supporting Documents

USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.

Appendix E: Compatibility Determinations

USFWS. 1994. Compatibility determination for recreational and subsistence uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.

USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.

USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date : _____

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X** Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision

COMPATIBILITY DETERMINATION

Use: Wildlife Observation, Wildlife Photography, Environmental Education, and Environmental Interpretation

Supporting and Incidental Uses: Hiking and backpacking, boating and rafting (motorized and non-motorized), commercial and private fixed-wing aircraft landings, snowmachining, dog sledding, snowshoeing, cross-country skiing, camping, picnicking, firewood gathering, berry picking, and swimming.

Refuge Name: Tetlin National Wildlife Refuge

Establishing and Acquisition Authority

The Alaska National Interest Lands Conservation Act (ANILCA) established the Tetlin National Wildlife Refuge as part of the National Wildlife Refuge System in 1980 (Public Law 96-487 Stat. 2371).

Refuge Purposes

ANILCA sets out the purposes for which each refuge in Alaska was established and must be managed. The purposes and management priorities of the Tetlin National Wildlife Refuge are described in Section 302(8)(B) of ANILCA as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, waterfowl, raptors and other migratory birds, furbearers, moose, caribou (including participation in coordinated ecological studies and management of the Chisana caribou herd), salmon and Dolly Varden;
- (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;
- (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; and
- (v) to provide, in a manner consistent with subparagraphs (i) and (ii), opportunities for interpretation and environmental education, particularly in conjunction with any adjacent State visitor facilities.

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

Description of Uses

The Refuge provides excellent opportunities for wildlife observation, wildlife photography, and environmental education and interpretation throughout the year. This compatibility determination includes Refuge visitor uses and activities associated with viewing and/or photographing fish and wildlife resources, and environmental education and interpretation activities. These wildlife-dependent recreational uses, along with hunting and fishing, were established by Congress as priority public uses that are to be facilitated on national wildlife refuges when they can be found compatible

with the Refuge's established purposes. Associated activities such as camping, backpacking, hiking, and other incidental uses are considered part of these wildlife-dependent activities.

This compatibility determination includes means of access for these uses. Traditional forms of access on the Refuge include fixed-wing aircraft, motorboats, snowmachines, nonmotorized boats (e.g., rafts and canoes), dog sleds, foot, snowshoe, cross-country skis, pack horses and mules, and other nonmotorized means. Most wildlife viewing, wildlife photography, environmental education and interpretation and associated activities occur along or very near the Alaska Highway, particularly at the Refuge visitor center, campgrounds, kiosks, pullouts, and trails or as part of Refuge programs in the local communities. Many visitors participate in these activities incidental to other uses such as fishing or hunting.

Only the northern portion of the Refuge is accessible by road. A relatively small number of visitors who participate in wildlife observation and wildlife photography in more remote parts of the Refuge rely primarily on boats, commercial air taxi, private airplanes, or snowmachines for access. Little cross-country skiing or snowshoeing occurs. A number of local residents own sled dogs for competitive racing, but dog sleds as a means of access for recreational activities within the Refuge is not common. Use of helicopters, jet-powered personal watercraft, and airboats is specifically excluded from this evaluation.

Refuge facilities contain a number of interpretive displays, exhibits and demonstrations of local natural and cultural history. Various Refuge programs also promote understanding and appreciation of the Service Mission, Refuge purposes, the boreal forest ecosystem and associated local Native cultures and customs through interpretive talks, presentations, field trips, school courses, and youth camps. A more detailed description of the wildlife viewing, wildlife photography, environmental education and interpretation opportunities provided by the Refuge can be found in the revised Tetlin Refuge Comprehensive Conservation Plan (In Press) and 1997 Public Use Management Plan.

Availability of Resources

Wildlife observation and photography uses do not require high levels of Refuge resources, in terms of staff time and expenses, to manage, since these uses generally entail minimal impacts and often occur incidental to other uses. Adequate refuge personnel and base operational funds are available to manage these uses on the Refuge at the existing and projected levels. However, a significant commitment of Refuge staff time and funding is required to administer environmental education and interpretation programs and uses on the Refuge. Adequate refuge personnel and base operational funds are not available to manage environmental education and interpretation activities at existing or projected levels. Recent reductions in part-time and full-time staffing and funding have limited the number of education and interpretive programs which can be provided, reduced the level of public use monitoring, and have increased Refuge maintenance and construction backlogs. Administrative staff time (30-50 staff days) primarily involves phone conversations, written correspondence, and interaction with visitors at the Refuge Headquarters. Field work (1,000- 1,500 staff days) associated with administering programs related to environmental education, interpretation, wildlife viewing and wildlife photography primarily involves maintaining facilities, constructing new facilities, providing interpretive presentations, developing and implementing classroom curriculum, participating in local nature camps and culture camps, organizing refuge events, and monitoring compliance by recreational users with state and federal regulations.

Anticipated Impacts of the Uses

Wildlife observation, photography, environmental education and interpretation involve nonconsumptive activities that generally result in minimal impacts on fish and wildlife populations and their habitats, other refuge resources, and subsistence users or other Refuge users. Regulations,

combined with law-enforcement efforts of State and refuge personnel further minimize potential impacts of these wildlife-dependent uses.

As stated previously, most recreational users utilize facilities along the Alaska Highway or attend various Refuge programs in local area communities. Only a relatively small number of visitors venture into the more remote areas of the Refuge to observe and/or photograph wildlife. Temporary displacement and/or disturbance to wildlife can occur while approaching wildlife, during motorized boat use, airplane take-offs and approaches to landings, use of snowmachines, and at campsites or other areas of concentrated human activities. There are no known long-term impacts to refuge wildlife populations from this disturbance. In addition some localized vegetation damage will generally occur in the immediate vicinity of campsites and commonly used points of access. An additional potential impact or threat associated with access in conjunction with these uses is the introduction of invasive species carried in on airplane floats, boat trailers, pack stock, pack stock feed, pets, or clothing. This is not known to have occurred within the Refuge to date.

In summary, uses related to wildlife observation and photography, environmental education and interpretation is likely to increase in the near future, but due to the low impact nature of these nonconsumptive uses, and the concentration of use along the Alaska Highway there will continue to be negligible direct or indirect effects on Refuge fish and wildlife populations and habitats, or on local subsistence users. Unless staffing and funding are increased to keep pace with these and other changes, the level and quality of visitor service programs and facilities will continue to decline.

Public Review and Comment

The public is invited to comment on this draft 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 compatibility determinations was published in the Federal Register. The draft determinations are also posted on the Region 7 Refuge Conservation Planning and Policy Web pages. Where appropriate, comments addressing elements of the draft Comprehensive Conservation Plan that are relevant to the specific uses evaluated in this determination will be considered in preparing the final compatibility determination.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

Establishment of impact thresholds and associated monitoring to be included in the revised Tetlin Refuge Public Use Management Plan/Visitor Services Plan and Habitat Management Plan in conjunction with continued monitoring of wildlife populations included in the 1986 Tetlin Refuge Wildlife Inventory and Monitoring Plan will indicate what additional management actions, if any, are necessary to insure wildlife viewing, photography, environmental education, and environmental interpretation remain compatible with other Refuge purposes.

These uses will be limited to levels that can be supported by available Refuge personnel and funding.

Justification

The National Wildlife Refuge System Improvement Act of 1997, identifies compatible wildlife observation and photography, environmental education, and environmental interpretation as four of six priority public uses of national wildlife refuges. The law states that, when managed in accordance with principles of sound fish and wildlife management and administration, these and the other priority wildlife dependent recreational uses "...have been and are expected to continue to be generally

compatible uses.” The Act further states that the priority public uses should receive enhanced consideration over other general public uses in refuge planning and management. Providing opportunities for environmental education and interpretation is also a purpose of Tetlin Refuge defined by ANILCA.

There are potential impacts from the modes of access used for remote areas of the Refuge. Section 1110(a) of ANILCA allows for use of snowmachines (subject to adequate snow cover or frozen river conditions), motorboats, airplanes, and nonmotorized surface transportation methods on Alaska refuges for traditional activities, subject to reasonable regulations to protect the natural and other values. Over the past 26 years, such means of access used in conjunction with hunting on the Refuge, as currently regulated by the Service, have not materially interfered with or detracted from Refuge purposes. Should use of motorized transportation grow to levels where it interferes with or detracts from refuge purposes, appropriate management steps would be taken to maintain compatibility.

The conservation and management of fish, wildlife and plant resources and their habitats for the benefit of the American people is fundamental to the National Wildlife Refuge System’s mission. It is important to provide the opportunity, when possible, for the public to visit the Refuge, allowing them to observe (and photograph) fish and wildlife resources in the simplest and most basic form. The Refuge provides an incredible opportunity to function as an outdoor classroom, promoting an awareness of ecological functions and the interrelationship between human activities and the natural system, and to educate and motivate future generations of people so that they effectively support wildlife conservation. For many, the only opportunity to gain that experience will be on a national wildlife refuge.

After fully considering the impacts described previously in the “Anticipated Impacts” section of this compatibility determination, it is my determination that wildlife viewing and photography, environmental education, and environmental interpretation activities on the Refuge do not materially interfere with or detract from the other purposes of the Refuge or the mission of the National Wildlife Refuge System. They in fact contribute to one of the purposes of the Refuge and to the mission of the National Wildlife Refuge System.

Supporting Documents

- Tetlin National Wildlife Refuge. 1986. Wildlife inventory and monitoring plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska, USA.
- USFWS. 1987. Tetlin National Wildlife Refuge final comprehensive conservation plan, environmental impact statement and wilderness review. U.S. Fish and Wildlife Service, Anchorage, AK.
- USFWS. 1994. Compatibility determination for recreational and subsistence uses within Tetlin National Wildlife Refuge. August 12, 1994. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska
- USFWS. 1997. Tetlin National Wildlife Refuge public use management plan. Management Plan. U.S. Fish and Wildlife Service, Tetlin National Wildlife Refuge, Tok, Alaska.
- USFWS. In Press. Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement: Tetlin National Wildlife Refuge. Anchorage, Alaska: U.S. Fish & Wildlife Service, Region 7, Division of Refuge Planning and Policy.

Refuge Determination

Refuge Manager /
Project Leader Approval: _____
(Signature) (Date)

Concurrence

Regional Chief,
National Wildlife
Refuge System: _____
(Signature) (Date)

Mandatory 15-Year Re-Evaluation Date: This compatibility determination addresses four of the priority public uses for the National Wildlife Refuge System identified in the National Wildlife Refuge System Administration Act of 1966, as amended. Such uses are to be re-evaluated, if authorized, at least every 15 years, or in concert to revisions of the Refuge’s comprehensive conservation plan. This compatibility determination must be re-evaluated within 15 years of signing of the current plan, although it may be re-evaluated sooner should conditions of the use change, significant new information about the use be made available, or at the discretion of the Refuge Manager.

NEPA Compliance for Refuge Use Decision

- _____ Categorical Exclusion without Environmental Action Memorandum
- _____ Categorical Exclusions and Environmental Action Memorandum
- X** Environmental Assessment and Finding of No Significant Impact
- _____ Environmental Impact Statement and Record of Decision