

Compatibility Determination

Use: Atka Island Runway Extension and Resurfacing Project

Refuge Name: Alaska Maritime National Wildlife Refuge

County: Kenai Peninsula Borough, Alaska

Establishing and Acquisition Authorities:

Alaska National Interest Lands Conservation Act, PL 96-487 (94 Stat. 2371), Aleutian Islands Reservation established by Executive Order 1733, signed by President Taft on March 3, 1913.

Refuge Purpose(s):

“...to set apart as a preserve and breeding ground for native birds, for the propagation of reindeer and fur bearing animals and for the encouragement and development of the fisheries.” (Executive Order 1733)

Establishment purpose: "... (i) To conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to marine mammals, marine birds and other migratory birds, the marine resources upon which they rely, bears, caribou and other mammals; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and (iv) to provide, in a manner consistent with subparagraphs (i) and (ii) research on marine resources; and (v) 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." 94 Stat. 2389 (Alaska National Interest Lands Conservation Act)

Additional purposes:

"... to conserve (A) fish or wildlife which are listed as endangered species or threatened species or (B) plants ..." 16 U.S.C. § 1534 (Endangered Species Act of 1973)

"..for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. § 715d (Migratory Bird Conservation Act)

"... conservation, management, and restoration of the fish, wildlife, and plant resources and

their habitats ... for the benefit of present and future generations of Americans..." 16 U.S.C. § 668dd(a)(2) (National Wildlife Refuge System Administration Act)

National Wildlife Refuge System Mission:

The National Wildlife Refuge System mission will not be considered in a compatibility determination evaluation with regard to lands under Section 22(g) of ANSCA, per 50 CFR 2521 (b)(1)(iii).

Description of Use:

The proposed project would extend the current runway at Atka Island. The project would affect 14.5 acres of ANCSA 22(g) lands owned by Atxam Corporation. The proposed project would shift the Atka airport runway to the south approximately 500 feet and extend the runway to the north approximately 1,200 feet for a total length of 5,000 feet. It would also realign the runway three degrees counter clockwise to improve wind coverage, eliminate conflicts with the nearby school and housing subdivision and minimize wetland impacts. The Alaska Department of Transportation and Public Facilities would widen and repave the runway; extend and widen the runway safety areas; relocate, expand and pave the apron and taxiway; install new airport lighting and navigational aides; replace the existing snow removal equipment building; remove terrain penetrations, and relocate a portion of the Atka Dock Road located at the north end of the runway for safety purposes.

The Atka Airport is located on private lands adjacent to the City of Atka in Township 92 South, Range 176 West, Section 22 of the Seward Meridian. The runway is located at approximately 52 degrees, 12 minutes North latitude and 174 degrees, 12 minutes west longitude. Atxam Corporation owns a large area of Atka Island along the western shore of Nazan Bay.

The proposed project is located midway between refuge lands to the northeast and southwest of this private land, and approximately three to four miles from either area. Work associated with the proposed project would not occur on refuge lands.

The Alaska Department of Transportation and Public Facilities anticipates the proposed action to be implemented in the summer of 2007 and continue into 2008.

The characteristics of the proposed project are described in the Atka Airport Runway Extension and Resurfacing Project Environmental Assessment, Project Number 55291. For additional information regarding the environmental assessment or the project, contact Don Baxter of the Alaska Department of Transportation at 907 269-0610.

The project would involve the excavation of material from surrounding hillsides for

construction purposes and the removal of terrain obstructions on the north end of the existing runway. Three materials sites would be used for the construction of the project. The scoria site is an existing borrow site located east of the north end of the runway. The sand borrow site is an area of dunes and previously disturbed ground located east of the south half of the runway. Heavy equipment would be used to remove material needed for the construction of the project. Blasting agents may be required for the removal of some material at the scoria site. These two sites would be accessed via the runway. The third material site is the quarry site located approximately 1600 feet south of the residential area south of the runway and across the road from the Atka Pride seafood plant. Heavy equipment and some blasting agents will be used to remove material needed for the asphalt paving of the runway. This site would be accessed via the airport access road.

Unusable excavation materials will be placed in low areas between the north end of the runway and Nazan Bay and along the apron for future development.

The Alaska Department of Transportation and Public Facilities intends to acquire 14.5 acres from the Alaska Department of Natural Resources for an easement over water, and approximately 230 acres of property from the Atxam Corporation and the City of Atka as part of the project.

The use of Federal subsurface rock, gravel, and sand from 22(g) lands for the proposed project is addressed in an earlier Compatibility Determination and requires a Special Use Permit.

The community of Atka depends almost entirely on aircraft for supplies, mail, transportation and medical attention. The primary purpose of the proposed project is to establish safe, adequate and reliable passenger and freight traffic for the community throughout the year. The existing runway does not meet the requirements of aircraft that would make this possible.

The proposed project will improve aviation service and safety by increasing runway dimensions, removing obstructions from the approach, stabilizing the runway surface and creating a dependable pilot-operated Medium Intensity Runway Lighting system. The proposed project would also reduce maintenance and repair needs by reconstructing the embankments, providing new surface materials, and constructing a two-bay snow removal equipment building.

The terrain of the island and the proximity of the community to the existing runway limits the availability of alternative sites for the proposed project. No large, flat upland areas exist on Atka Island within reasonable proximity of the community.

Availability of Resources:

Resources involved in the administration and management of the use:

Extending and resurfacing the Atka airport runway on Atxam Village Corporation 22(g) lands would not result in an increase of costs for refuge staff to administer or manage.

Special equipment, facilities, or improvements necessary to support the use: None

Maintenance costs: None

Monitoring costs: None

Offsetting revenues: None

Anticipated Impacts of the Use:

This compatibility determination does not evaluate effects of the proposed use on Atxam Corporation owned 22(g) lands and will only evaluate the effects on adjacent refuge lands and the ability of the refuge to achieve its legally mandated purposes per 50 CFR 2521 (b)(1)(v).

Short-term impacts:

Construction activities associated with the runway extension and resurfacing are not anticipated to adversely impact adjacent refuge lands. The closest refuge surface estate lands are located 3.5 miles from the proposed project site.

Long-term impacts:

Extension of the runway to the north would impact 14.5 acres of wetlands on 22(g) lands. Although these wetlands would no longer be available for use by migratory birds, there are numerous other wetlands in the immediate vicinity. The Alaska Department of Transportation and Public Facilities would provide \$500 for each acre of wetland affected by the proposed action as compensatory mitigation. The funds would be contributed to a non-governmental organization fund or escrow. Adjacent refuge lands would not be affected.

Cumulative:

Subsequent use of the improved runway would result in increased air traffic to Atka Island.

The additional traffic is not anticipated to impact refuge lands or the ability of the refuge to achieve its legally mandated purpose.

Public Review and Comment:

The period of public review and comment began 2/6/2006 and ended 2/22/2006.

The following methods were used to solicit public review and comment:

- Posted notice at refuge headquarters
- Posted notices in public places
- Letter to other interested persons
- World Wide Web

The proposed project is not expected to impact refuge lands or the ability of the refuge to achieve its purposes. Local support for the proposed project is strong while interest in the project from the general public is minimal and non-controversial.

The period of public review and comment began February 6, 2006 and ended February 22, 2006.

A Public Notice dated February 6, 2006 was sent to the City of Atka and the Atxam Corporation office, to the City of Unalaska, was posted in the Adak post office and in the refuge offices in Adak and Homer. The notice (attached) asked for public comment over a 17 day period.

Determination:

Use is not compatible.

Use is compatible with the following stipulations.

Justification:

In 1971, Congress enacted the Alaska Native Settlement Claims Act (ANCSA) to settle aboriginal claims of Alaska's Natives by providing land and money in exchange for extinguishment of their land claims. Section 22(g) of the Act made National Wildlife Refuge lands available for selection by Native Village Corporations, but it also contained a provision that "...such lands remain subject to the laws and regulations governing use and development of such Refuge." This means the refuge laws and regulations requiring compatibility determinations for proposed refuge uses applies to the village corporation lands in National Wildlife Refuges in Alaska withdrawn under Section 22(g) of ANCSA. These lands were

deeded to Alaska Native Village Corporations with specific restrictions, called covenants, on their sale and use. On 22(g) lands refuge managers focus their compatibility determinations on how the impacts of the proposed use would affect adjacent refuge lands and the degree that the proposed use materially interfere with the ability of the refuge to achieve its legally mandated purposes. This is the fundamental protection provided to the parent refuges from the effects and uses of 22(g) lands that Congress provided in Section 22(g) of ANCSA.

The impacts of this project are confined to Atxam Corporation ANCSA 22(g) lands and other private holdings. The proposed use area is 3.5 miles from refuge surface estate lands and will not have a significant impact on refuge lands or materially interfere or detract from fulfilling the purposes of the refuge.

Mandatory Re-Evaluation Date:

Re-evaluation is not required for compatible uses on 22(g) lands unless the use changes significantly, significant new information is made available that could affect the compatibility determination, or if requested by the landowner.

Signature: Refuge Manager /s/ Gregory E. Siekaniec 7/26/06
(Signature and Date)

Concurrence: Regional Chief /s/ Mike Boylan (acting) 7/26/06
(Signature and Date)