

Compatibility Determinations

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Compatibility Determination

Use: Subsistence Activities

Primary Uses: Fishing, natural resource gathering, hunting, trapping, and subsistence (other).

Supporting and Incidental Uses: Boating (motorized and non-motorized), snowmobiling, snowshoeing, trapping, firewood cutting, natural resource gathering, camping, cross-country skiing, dog sledding and skijoring, hiking and backpacking, picnicking, wildlife photography and videography, pets, wildlife observation, fixed-wing aircraft landings, swimming and beach use.

Refuge Name: Innoko National Wildlife Refuge

Establishment and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats;
- (iii) to provide, in a manner consistent with the purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents, and;
- (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in paragraph (i), water quality and necessary water quantity within the refuge.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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:

This is a re-evaluation of the compatibility of subsistence uses of Federal lands within Innoko Refuge. Subsistence was originally found to be a compatible use during the development of the Refuge Comprehensive Conservation Plan in 1987. Subsistence was again determined to be compatible, subject to reasonable regulation, in 1992. Subsistence activities addressed in this determination include hunting, fishing, trapping, firewood gathering, berry picking, and gathering of other plant materials. Consumptive uses of fish and game are generally regulated by State regulations (5AAC), or Federal subsistence regulations 50 CFR Part 100. Gathering of plant materials, including firewood, on the refuge, is regulated by 50 CFR Part 36. Snowmobiles and motorboats are the primary means of surface transportation traditionally employed for such purposes, as allowed under ANILCA section 811 and refuge regulations (50 CFR 36). Subsistence has also been historically supported by the occasional use of airplanes for access to remote locations surrounding some communities.

Residents of Grayling, Anvik, Shageluk, Holy Cross, Kaltag and Takotna, located just outside of the refuge, have lifestyles and economies that depend on subsistence resources, including resources within the refuge. Subsistence activities are not just a way of obtaining food, but an important mechanism for maintaining cultural values such as kinship, community, respect for elders, hospitality, sharing resources, and the passing of values to younger generations. In addition, many residents in the area simply prefer the taste of traditional wild foods to that of commercially purchased foods. Mainstay subsistence foods for residents near Innoko Refuge are fish and moose. Waterfowl, black bear and small game--including grouse and snowshoe hare, beaver and furbearers--are at times important to local residents for food, fur, and traditional crafts. Berries and other plant materials such as firewood, house logs, and birch bark are also frequently gathered. Compatibility of gathering house logs for subsistence is evaluated under a separate determination. A detailed description of subsistence uses and harvest can be found in chapter 3 of the Innoko Refuge Revised Comprehensive Conservation Plan.

Trappers operate within the refuge, harvesting marten, lynx, fox, wolves, beaver, river otter, and other small furbearers. The sale of these furs provides supplemental income to residents depending on a subsistence lifestyle. Trapping is also considered a subsistence activity, but the compatibility of trapping as a refuge use is considered elsewhere in this plan under a separate determination.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage subsistence activities at existing and projected levels. Management primarily includes the inventory and monitoring of fish and wildlife subsistence species; surveys of public use and subsistence harvest in local communities; environmental education, such as steel shot clinics or other efforts aimed at improving public understanding of major conservation issues; and law enforcement patrols. During such patrols, refuge staff members opportunistically conduct outreach to increase subsistence user awareness of the status of local fish and wildlife populations, the relationship of regulations to sustainable yield, and the importance of knowing land ownership and regulatory boundaries when subsistence activities take place. Refuge staff members spend considerable time participating in and supporting the regulatory development process with the Federal Subsistence Board (FSB) and Alaska Boards of Fisheries and Game to ensure that harvest levels are sustainable. The refuge currently allocates over 10 percent of its budget towards managing subsistence resources and subsistence activities because it constitutes the primary public use of Innoko Refuge.

Anticipated Impacts of the Uses:

Fish and wildlife harvested by subsistence users at current and projected levels—in accordance with established State and Federal regulations pertaining to season, bag limits, and methods of harvest—are not

expected to have long-term impacts on the overall populations of fish and wildlife resources within the refuge. State and Federal biologists monitor fish and game populations, and State and Federal regulatory bodies continually respond to management needs by adopting regulations to ensure the continued health of fish and wildlife populations. The combination of Alaska State Hunting Regulations (5AAC) and the Federal Subsistence Regulations (50 CFR Part 100) are intended to provide a sustainable harvest over the long term. It is possible that localized or short-term population reductions may occur due to unanticipated changes in physical condition of animals, environmental conditions, distribution, predation, and harvest pressure. Refuge staff will continue to monitor populations to avoid depletion of fish and wildlife resources by over harvesting.

Impacts to resources from berry picking, firewood gathering, and other plant harvesting activities, at low intensity, are relatively insignificant. Impacts to habitat caused by aircraft, boats, and foot travel are generally minimal, but increased use could cause disturbance to wildlife and increased pressures on wildlife. Much of the access by subsistence users is by boat or snowmobile (in winter during adequate snow cover). Refuge staff members have observed that to date these activities have caused very little impact to habitats. The introduction of invasive plant species, perhaps from seeds carried on boats, snowmobiles, or dog mushing equipment, could affect refuge resources. Although invasive plants are not known to have been introduced by this method, there are a limited number of invasive species on Innoko Refuge. The refuge staff will be vigilant to prevent such introductions. Refuge staff will monitor subsistence use levels to determine if changes in conditions or intensity have the potential to impact refuge resources.

If snowmobile or motorboat use on Innoko Refuge was to increase substantially, disturbance to important subsistence species, including moose, could occur (McTaggart-Cowan 1981, Creel et al. 2002). Denning bears are most susceptible to snowmobile disturbance. Actions by ill-advised or uninformed snowmobile users could cause bears to abandon dens and harm newborn cubs incapable of travel (Jonkel 1980) Noise disturbance could also affect moose energy budgets, reproductive success, and long-term survival (Calef et al. 1976, Olliff et al. 1999).

Public Review and Comment:

Public comment was solicited concurrently with the revision of the Refuge's Comprehensive Conservation Plan. The State of Alaska commented that the stipulations necessary to ensure compatibility for recreational hunting should be consistent with those for subsistence activities. We changed the stipulations to be more consistent among the compatibility determinations.

Refuge Determination (check one below):

Use is not compatible
 Use is compatible

Stipulations Necessary to Ensure Compatibility:

Subsistence users will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Management direction provided in the revised Innoko Refuge Comprehensive Conservation Plan requires monitoring of subsistence use. To minimize impacts on lands and resources within the refuge, law enforcement patrols will be routinely conducted to maximize compliance with the existing policies, rules, and regulations. Should problems be detected through monitoring, appropriate management actions would be undertaken.

Justification:

One of the purposes of Innoko Refuge is to provide for continued subsistence uses by local residents, consistent with the other refuge purposes of conserving fish and wildlife populations and habitats in their natural diversity 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 the physical, economic, traditional, social, and cultural existence of rural 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 ensures that subsistence users can access public lands by snowmobile, motorboat, and other traditionally used means of surface transportation, subject to reasonable regulation. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of the Uses” section of this determination, it is my determination that subsistence activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Brown, C., J. Burr, K. Elkin, K. and R.J. Walker, .2005. Contemporary Subsistence Uses and Population Distribution of Non-Salmon Fish in Grayling, Anvik, Shageluk, and Holy Cross, Alaska. Division of Subsistence Technical Paper no. 289. Alaska Dept. of Fish and Game, Anchorage, AK.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Creel, S., J.E. Fox, A. Hardy, J. Sands, B. Garrott, and R.O. Peterson. 2002. Snowmachine activity and glucocorticoid stress responses in wolves and elk. *Conservation Biology* 16:809-814.

Jonkel, C. J. 1980. Black, brown, and polar bears. Pages 227–228 in *Big game of North America: ecology and management*. J. L. Schmidt and D.L. Gilbert, *eds.* Harrisburg, Pennsylvania: Stackpole Books.

McTaggart-Cowan, I. 1981. Wildlife conservation issues in northern Canada. Canadian Environmental Advisory Council report, no. 11. University of Calgary, Canada.

Olliff, T., K. Legg, and B. Kaeding, editors. 1999. Effects of winter recreation on wildlife of the Greater Yellowstone area: a literature review and assessment. Report to the Greater Yellowstone Coordinating Committee. Yellowstone National Park, Wyoming. 315 pages.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 1992. Subsistence Management for Federal public Lands in Alaska, Final Environmental Impact Statement, Record of Decision, April 2, 1992.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 18, 2008
(Signature) (Date)

Mandatory 15-year Re-Evaluation Date (for priority public uses): 2023

- 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

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

Primary Uses: Environmental education (education of teachers, group leaders, or students), interpretation, wildlife photography and videography, wildlife observation.

Supporting and Incidental Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, fishing, hunting, trapping, natural resource gathering, camping, cross-country skiing, dog sledding and skijoring, snowmobiling, hiking and backpacking, firewood cutting, picnicking, pets, snowshoeing, swimming and beach use.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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:

This determination re-evaluates the following wildlife-dependent activities: wildlife observation, wildlife photography and videography, environmental education, and interpretation. These uses were found to be compatible under the original Refuge Comprehensive Conservation Plan in 1987 and were again determined to be compatible in 1992. While some visitors come to the refuge specifically to engage in one or more of these non-consumptive activities, many visitors also include these activities as part of a refuge hunting or fishing trip. Compatibility of hunting and fishing is evaluated separately. Associated activities such as camping, backpacking, hiking, boating, and other incidental uses are considered part of these wildlife-dependent activities for the purposes of this evaluation. Of these priority public uses, wildlife observation and photography are by far the most widespread.

Interpretive and educational efforts occur primarily in the communities of McGrath, Grayling, Anvik, Shageluk, Holy Cross, and Tokotna rather than on the refuge because of the lack of developed visitor facilities and difficult access to the refuge. Limited, informal interpretive and environmental education services are provided during contacts with visitors on the refuge by staff on routine patrol. No formal environmental education or interpretive programs are regularly conducted on the refuge, nor are any formal on-site programs planned under the revised Comprehensive Conservation Plan.

Visitors take advantage of opportunities to view and photograph wildlife, plants, and landscapes within the refuge. Most of these activities predate the establishment of the refuge in 1980. Recreational settings on the refuge are remote. Typical forms of access for all areas of the refuge include fixed-wing airplanes, motorboats, non-motorized boats, hiking, snowshoeing, snowmobiles, cross-country skiing, and other non-motorized means. However, most non-local visitors access the refuge by commercial air taxis from McGrath, Galena, or Aniak. Private boats and airplanes are the most common means of access for local visitors or the relatively few visitors not using commercial transporters. Day trips to the refuge are uncommon for visitors interested in wildlife observation, wildlife photography, and sightseeing but do occasionally occur. Camping on the refuge usually extends for periods of several days and is often associated with hunting activities. Campers use tents ranging from small backpacking tents to larger multi-person tents.

People can visit the refuge year-round, but most come to hunt, fish, or conduct subsistence activities during the warmer months. Use is concentrated in areas that are accessible to rivers or larger lakes. These areas generally provide reliable opportunities for wildlife observation, especially along major rivers, including the Yukon, Innoko, Iditarod, Mud, and Dishna rivers.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage these wildlife-dependent recreational activities. Administrative staff time primarily involves phone conversations, written correspondence, public use surveys, and interaction with visitors at the visitor center. Staff will also be involved with any subsequent step-down planning (public use management) and recreational monitoring. Field work associated with administering this use primarily involves conducting patrols to increase visitor compliance with State and Federal regulations. Refuge staff members opportunistically conduct outreach to visitors to minimize the impacts of camping and to improve understanding of local residents' subsistence activities and awareness of private inholdings and property. Outreach efforts at local villages emphasize "leave no trace" camping and hiking practices.

For commercial videography, administrative staff time would primarily involve issuing permits and recording activity data. Field work associated with administering the program would primarily involve monitoring permittees' compliance with the terms of the permits. Estimated staff time to annually administer and monitor these permits is less than one week.

Anticipated Impacts of the Uses:

Adverse impacts to refuge wildlife and habitats associated with these priority public uses and associated uses were evaluated in the Environmental Assessment for the Draft Revised Innoko Refuge Comprehensive Conservation Plan. Negligible impacts to habitats within the refuge from disturbance are anticipated. Possible localized adverse impacts to some plant and wildlife species could occur, but the proposed plan would not have any long-term population-level impacts on refuge plants and wildlife. The introduction of invasive plant species, perhaps from seeds carried on boats, airplane floats, snowmobiles, or dog sleds could affect refuge resources. To date, limited invasive species introduction known to have occurred on the Innoko Refuge. Refuge staff will be vigilant to prevent such introductions. Positive effects on the local economy, though small, are anticipated from these uses.

Public Review and Comment:

Public comment was solicited concurrently with public review of the draft revised comprehensive conservation plan. No comments were received on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Permits are required for all commercial videography, including filming of documentaries, travelogues, feature stories, and advertising. Liability insurance and bonding may be required, depending on the specific production activities proposed. Additionally, a \$100 fee may be required. News gathering organizations are exempt from fee, insurance, and bonding requirements but may be required to obtain a special use permit to ensure compatibility with refuge purposes, avoid conflict with established public use or research; or to protect refuge resources.

Justification:

All refuge lands in the Innoko Refuge are open to public access unless specifically closed. The proposed uses represent four of the six priority public uses identified in the National Wildlife Refuge Administration Act (as amended). The law calls for the Service to ensure that opportunities are provided for these uses and requires that they receive enhanced consideration over other public uses in planning and management. Innoko Refuge provides ample opportunity to those seeking to view and photograph wildlife, and provides interpretive and educational experiences in nearby communities. The current and projected amount of these activities has been found to have insignificant adverse physical and biological effects in the draft refuge comprehensive conservation plan. After fully considering the impacts of these activities, as described previously in the “Anticipated Impacts of the Uses” section of this determination, it is my determination that wildlife observation, wildlife photography, environmental education, and interpretation activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Compatibility Determination

Use: Recreational Hunting

Primary Use: Hunting (big game, waterfowl, other migratory birds, and upland game).

Supporting and Incidental Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, fishing, trapping, natural resource gathering, camping, firewood cutting, dog training, snowmobiling, hiking and backpacking, pets, wildlife photography, videography and audio recording, swimming and beach use, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 re-evaluated in this determination. Recreational hunting was found to be compatible in the original Refuge Comprehensive Conservation Plan (1987) and was again determined to be compatible in 1992. Associated activities such as camping, backpacking, hiking, and other incidental uses are considered part of recreational hunting. The majority of recreational hunting has been for moose, but hunting for black bear, grizzly bear, wolf, small game and waterfowl also occurs on the refuge, usually as part of a moose hunt, as allowed under State of Alaska hunting regulations (5 AAC). Small game and waterfowl hunting often occurs in conjunction with big game hunts and fall fishing excursions. Recreation settings on the refuge are remote. The number of recreational use days for small game and waterfowl hunting on the refuge is unknown but thought to be minimal. In recent years, refuge staff members were aware of an annual range of 30-45 parties of recreational moose hunters using Innoko Refuge. Current means of access to the refuge include fixed-wing aircraft, motorboats, snowmobiles and non-motorized means. Levels of recreational hunting are estimated primarily from direct observation by refuge staff, annual reports provided by air-taxi operators who transport most recreational hunters to locations within the refuge, and information from State harvest tickets. Permitted air-taxi operators provide visitor information, including primary activity, location, length of stay, and group size.

Most of Innoko Refuge is located within State of Alaska Game Management Unit (GMU) 21A, although a small part is within GMU 21E and 21D. Moose black and brown bear are the primary species sought after by hunters, but wolves and wolverine may be taken incidentally on Innoko Refuge. The Paradise Controlled Use Area (PCUA), which includes the southwestern portions of the refuge, was established by the State of Alaska in 1981. The PCUA restricts aircraft access for the transport of moose hunters, gear, or moose parts. (However, moose hunters, their gear, and/or moose parts may be transported by aircraft between publicly owned airports in the controlled use area or between a publicly owned airport within the area and points outside the area.) The PCUA is bounded by a line beginning at the old village of Paimiut, then north along the west bank of the Yukon River to Paradise, then northeast to the mouth of the Anvik River, then along the west bank of the Yukon River to the lower end of Eagle Island (approximately 45 miles north of Grayling), then to the mouth of the Iditarod River, then down the east bank of the Innoko River to its confluence with Paimiut Slough, then south along the east bank of Paimiut Slough to its mouth, and then to the old village of Paimiut. State of Alaska hunting regulations (5AAC) describe State seasons, bag limits, and regulations pertaining to hunting, fishing, and trapping.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage recreational hunting activities at existing and projected levels. Administrative staff time primarily involves phone conversations and written correspondence to answer questions from hunters, attendance at regulatory meetings, and engagement in the regulatory review process. Field work associated with administering the program primarily involves conducting law enforcement patrols to ensure recreational hunter compliance with State and Federal refuge regulations. Refuge staff members opportunistically conduct outreach to hunters to increase their awareness of national wildlife refuge programs, the status of local wildlife populations, the relationship of regulations to sustainable yield, and the importance of knowing land ownership and regulatory boundaries in locations where hunting activities are to take place.

Anticipated Impacts of the Use:

The refuge is directly involved in review and implementation of the regulatory process and administrative oversight of the activity. Because of combined regulatory and law enforcement efforts of the State and refuge personnel, direct impacts from recreational hunting under existing management should have minimal impacts to fish and wildlife resources, other resources, or other refuge users.

Moose hunting locations outside of the PCUA are concentrated in narrow river corridors along the many rivers and sloughs within the Innoko Refuge. Recreational hunters may, in some cases, compete with subsistence users for the limited number of game animals in these corridors. Air taxi operators are discouraged from dropping hunters in areas used by subsistence hunters. Most subsistence hunting occurs in areas of the refuge where refuge and private lands are intermingled. Boundaries of private lands can be difficult to distinguish, and inadvertent trespass could occur because non-local hunters would not be aware of the mixed ownership. Refuge staff members are aware of these potential conflicts and monitor use levels each hunting season. Should conflicts arise, the Service will work to address them through the Federal Subsistence Board and Alaska Board of Game. These boards have established regulations aimed at managing populations of animals at sustainable levels and preventing conflicts among user groups.

Impacts to refuge habitats are considered minimal because access is primarily by boat or plane, with planes landing on lakes and rivers with floats. Disturbance to vegetation is minimal and short-term and would likely be restricted to campsites that receive repetitive use. Temporary displacement and or disturbance to wildlife can occur with any form of motorized transport (Bouffard 1982, Calef et al. 1976, Miller 1994, Ward et al. 1994). A large increase in recreational hunting on the refuge could cause user conflicts, wildlife disturbance, and in some cases, undermine the wild character of the refuge. The introduction of invasive plant species carried on boats or aircraft floats could affect refuge resources. Limited introductions have occurred on Innoko Refuge to date and staff will be vigilant to prevent such occurrences.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the Refuge’s Comprehensive Conservation Plan. The State of Alaska commented that the stipulations necessary to ensure compatibility for recreational hunting should be consistent with those for subsistence activities. We changed the stipulations for subsistence activities to be more consistent with the stipulations for recreational hunting. We made no changes to this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Management direction provided in the revised Innoko Refuge Comprehensive Conservation Plan requires adequate monitoring of visitor use, including recreational hunting. To minimize impacts on lands and resources within the refuge, law enforcement patrols will be routinely conducted to maximize compliance with the existing policies, rules, and regulations. Should problems be detected through monitoring, appropriate management actions would be undertaken .

Justification:

All lands in the Innoko Refuge are open to public access with some exceptions: the Paradise Controlled Use Area (restrictions for moose hunting only) and private inholdings. The National Wildlife Refuge System Administration Act of 1966 (as amended by the Refuge Improvement Act of 1997) identifies recreational hunting as one of six priority public uses of national wildlife refuge system lands. The law states that, “when managed in accordance with principles of sound fish and wildlife management,

administration of this use has been and is expected to continue to be generally compatible and that priority public uses should receive enhanced consideration over other general public uses in refuge planning and management.” The law also states that the Service should provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities such as hunting.

Means of access by airplanes, motorboats, and non-motorized means for traditional activities, as provided by ANILCA and as currently regulated by the Service, have not materially interfered with or detracted from refuge purposes. Should motorized transportation grow to levels where it interferes with refuge purposes, staff would work with hunters and the State of Alaska to address impacts and resolve compatibility concerns. Recreational hunting is an activity that Congress intended to preserve when the refuge was established by ANILCA. As stated previously, recreational hunting on the refuge provides the public with quality, safe, and unique hunting opportunities found few places elsewhere in the world. To ensure sustainability of harvest of wildlife resources and to provide the continued opportunity for subsistence uses of these species by local residents, both the Federal Subsistence Board and State Board of Game regularly adopt regulations in response to wildlife population levels and management needs. These regulations provide adequate protection for the refuge’s wildlife resources, continued hunting opportunities, and other refuge purposes. After fully considering the impacts of these activities, as described previously in the “Anticipated Impacts of the Use” section of this determination, it is my determination that recreational hunting within the refuge does not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Alaska Department of Fish and Game. 2006. Alaska hunting regulations effective dates July 1, 2006–June 30, 2007, governing general, subsistence, and commercial uses of Alaska’s wildlife. Juneau, AK. Viewed December, 2006 at www.state.ak.us/adfg/wildlife/wildmain.htm.

Bouffard, S. 1982. Wildlife values versus human recreation: Ruby Lake National Wildlife Refuge. *Transactions of the North American Wildlife and Natural Resources Conference* 47:553-558.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Miller, M. W. 1994. Route selection to minimize helicopter disturbance of molting Pacific black brant: a simulation. *Arctic* 47: 341–349.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. *Wildl. Soc. Bull.* 22: 220–228.

Compatibility Determination

Use: Recreational Fishing

Primary Use: Fishing (general and other).

Supporting and Incidental Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, hunting, firewood cutting, trapping, camping, hiking and backpacking, picnicking, pets, natural resource gathering, wildlife photography and videography, swimming and beach use, wildlife observation, snowmobiling.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

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Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates recreational fishing as a compatible use on Innoko Refuge. Recreational fishing was originally found to be compatible in the original Refuge Comprehensive Conservation Plan (1987) and was again determined to be compatible in 1992. Means of access for recreational fishing include fixed-wing floatplanes, motorboats, non-motorized boats, hiking, and snowmobiling. Associated activities such as camping, backpacking, hiking, and other incidental uses are considered part of wildlife-dependent recreational fishing activities. Recreational fishing occurs spring through fall, with limited ice fishing occurring in early spring, and is managed under State of Alaska fishing regulations (5AAC). Of the four major rivers on the refuge, all could be classified as having good recreational fishing opportunities, based on reasonable accessibility by float plane or boat, and sustainable populations of anadromous and/or resident fish. Although all these drainages provide opportunities for day use and overnight primitive camping, cost of traveling to these areas for day-use fishing is prohibitive for most visitors. All drainages provide opportunities for northern pike fishing and have seasonal salmon runs that attract recreational fishing. Arctic grayling, whitefish, and Dolly Varden are also available in some waters within the refuge in the headwaters of the Innoko River. Recreational fishing patterns are estimated primarily through direct observation by refuge staff and reports from local residents. Use is very low outside of the hunting season. Refuge staff members are aware of only a few public recreational trips per year, mainly motorized river trips from local villages.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage recreational fishing at existing levels. Administrative staff time primarily involves phone conversations and written correspondence. It could involve regulatory review. Field work associated with administering the program primarily involves conducting law enforcement patrols to ensure recreational users' compliance with State fishing regulations and refuge regulations and working with adjacent land owners to monitor public use on rivers flowing onto Innoko Refuge. It is estimated that less than two weeks of staff time is required to manage this use on Innoko Refuge.

Anticipated Impacts of the Use:

Both the Federal Subsistence Board and State Board of Fisheries regularly adopt regulations in response to fish population levels and to address issues of fishery allocation. Providing an opportunity for continued subsistence uses of fishery resources by local residents receives the highest priority from the Federal Subsistence Board. Although salmon experienced a worrisome decline in the late 1990s, recent run strengths indicate that a recreational fishery on salmon currently is sustainable. The Innoko Refuge Fisheries Management Plan (USFWS 1993) warned that refuge fish populations could decline without sufficient data to measure population trends. Based on guidance provided in the Fisheries Management Plan, refuge staff members continue to work with the Fairbanks Fish and Wildlife Field Office and Alaska Department of Fish and Game (ADF&G) to implement inventories and studies in the Plan and to conduct other research aimed at understanding fish populations and key habitats on Innoko Refuge. At current levels, recreational fishing harvests require little monitoring, and there are no anticipated deleterious effects on fish habitat. There are presently two sport fish guides utilizing the Innoko Refuge. Should intensity of use increase, refuge staff would increase monitoring efforts. If necessary, refuge staff would review regulations and propose changes to protect fishery resources and subsistence fishing opportunities for people living near the refuge.

Additional potential impacts or threats are associated with floatplane or motorboat access. The introduction of invasive plant species carried on boats or aircraft floats could affect refuge resources, although it is not known to have occurred via this mode of transportation on the Innoko Refuge to date. In addition, frequent motorboat or aircraft traffic could impact nesting, molting, or staging birds

(Bouffard 1982, Miller 1994, Ward et al. 1994). Temporary displacement and/or disturbance to wildlife can also occur in response to low level overflights and during aircraft takeoffs and approaches to landings (Calef et al. 1976).

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge's Comprehensive Conservation Plan. No comments were received on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

The Fisheries Management Plan for Innoko Refuge (1993) will be used to identify specific management actions to ensure that recreational fishing and related activities continue to remain compatible with refuge purposes.

Justification:

The National Wildlife Refuge System Administration Act (as amended by the Refuge Improvement Act of 1997) identifies compatible recreational fishing as one 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, administration of these uses has been, and is expected to continue to be, generally compatible, and that priority public uses should receive enhanced consideration over other general public uses in refuge planning and management. The law also states that the Service should provide increased opportunities for families to experience compatible wildlife-dependent recreation, particularly opportunities for parents and their children to safely engage in traditional outdoor activities such as fishing.

Means of access by airplanes, motorboats, snowmobiles and non-motorized means for traditional activities, as provided by ANILCA and as currently regulated by the Service, have not materially interfered with or detracted from refuge purposes. Should motorized transportation in support of recreational fishing increase to levels where it interferes with refuge purposes, staff would work with anglers and ADF&G to address impacts and resolve compatibility concerns.

Recreational fishing is an activity that Congress intended to preserve when the refuge was designated by ANILCA. As stated previously, recreational fishing within the refuge provides the public with safe and unique recreational fishing opportunities of a quality found few places elsewhere in the world. The State Board of Fisheries and the Federal Subsistence Board manager public fishery resources through regulations. They provide the continued opportunity for subsistence fishing by local residents in response to changing fish population levels and harvest patterns. These regulations provide adequate protection for the refuge's fishery resources and continued subsistence opportunities in balance with other refuge purposes. After fully considering the impacts of these activities, as described previously in the "Anticipated Impacts of Use" section of this determination, it is my determination that recreational fishing within the refuge does not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Bouffard, S. 1982. Wildlife values versus human recreation: Ruby Lake National Wildlife Refuge. Transactions of the North American Wildlife and Natural Resources Conference 47:553-558.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. Arctic 29(4):201-212.

Innoko National Wildlife Refuge, Fisheries Management Plan 1993, U.S. Fish and Wildlife Service, Fairbanks, AK, 52pp.

Miller, M. W. 1994. Route selection to minimize helicopter disturbance of molting Pacific black brant: a simulation. Arctic 47: 341–349.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. Wildl. Soc. Bull. 22: 220–228.

Refuge Determination:

Refuge Manager /
Project Leader Approval: /s/ Kent A. Sundseth, acting _____ December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife
Refuge System: /s/ Todd J. Logan _____ December 19, 2008
(Signature) (Date)

Mandatory 15-Year Re-Evaluation Date (for priority public uses): 2023

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: Non-Wildlife-Dependent Recreational Activities

Primary Uses: Picnicking, boating (motorized and non-motorized), fixed-wing aircraft landings, natural resource gathering, camping, cross-country skiing, dog training, dog sledding and skijoring, snowmobiling, hiking and backpacking, pets, videography and audio recording, snorkeling and scuba diving, snowshoeing, swimming and beach use, firewood cutting.

Supporting and Incidental Uses: None

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authorities:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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:

This determination evaluates general public uses not covered in other compatibility determinations, including camping, hiking, backpacking, firewood cutting for recreational purposes, boating (motorized and non-motorized), plant gathering (including berry picking), rock gathering, cross-country skiing, dog sledding, skijoring, snowmobiling, beach use, snowshoeing, and other general outdoor recreation when the uses are not associated with one of the other uses evaluated elsewhere for compatibility. These uses could occur year-round; though most are common in summer. The uses probably occur infrequently when *not* in association with other uses. Most of these uses were originally found to be compatible during preparation of the Refuge Comprehensive Conservation Plan in 1987, and were again determined to be compatible, subject to reasonable, regulation in 1992.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage these uses. Management consists of refuge staff contacting visitors on an opportunistic basis when in the field for other purposes.

Anticipated Impacts of the Uses:

These activities are anticipated to have negligible effects on refuge resources and other visitors, primarily because they occur so infrequently. For example, most berry picking occurs as a subsistence activity or by visitors engaged in another activity such as wildlife observation, hunting, or fishing.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the Refuge’s Comprehensive Conservation Plan. No comments were received on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Justification:

These uses, at the levels anticipated, are not likely to have any adverse effects on refuge resources or other visitors. The activities have been found compatible when conducted in relation to other refuge uses such as wildlife observation and photography, hunting, fishing, trapping, or subsistence activities. Because the refuge is remote and only accessible by boat, airplane, snowmobile, dogsled, or arduous cross-country travel on foot, it is extremely unlikely that many visitors will travel to Innoko Refuge to engage solely in these non-priority public use activities. After fully considering the impacts of these activities, as described previously in the “Anticipated Impacts of the Uses” section of this determination, it is my determination that these non-priority public use activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-Year Re-evaluation Date (for allowed uses only): 2018

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: Trapping

Supporting and Incidental Uses: Fixed-wing aircraft landings, snowmobiling, boating (motorized and non-motorized), fishing, hunting, natural resource gathering, camping, cross-country skiing, dog sledding and skijoring, hiking and backpacking, wildlife photography and videography, snowshoeing, swimming, wildlife observation, pets, and firewood cutting.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authorities:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates the compatibility of furbearer trapping as a use of Innoko Refuge. Trapping was originally found to be a compatible use during preparation of the refuge Comprehensive

Conservation Plan in 1987. Trapping was again determined to be compatible, subject to reasonable regulation, in 1992. Wolves, fox, beaver, marten, lynx, snowshoe hares, wolverine, ermine, and river otters are regularly trapped on Innoko Refuge. Trapping occurs during winter on the refuge in accordance with State of Alaska trapping regulations and seasons (5 AAC). Trapping activity on Innoko Refuge has generally been decreasing since the 1980s

The majority of trapping activities within Innoko Refuge are based out of Grayling, Anvik, Shageluk, and Holy Cross. Access to trapping areas is primarily by snowmobile. Currently, only a small number of traplines are active. By tradition, each trapline tends to be used by a particular family or clan in a village; different traplines are usually separated by several miles and respected locally as exclusive trapping use areas. Most trapping activities can be characterized as an extension of subsistence because much of the fur harvest is used for clothing, including hats, parka ruffs, and gloves. Income and products from trapping add to the self sufficiency of people living in remote regions of Alaska.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage trapping on Innoko Refuge. A few days of staff time are required annually to survey and map traplines, review harvest estimates, and consider the occasional application for related permits (e.g., trapping cabin permits).

Anticipated Impacts of the Use:

No long-term adverse impacts on wildlife populations or other refuge resources are likely to occur due to continuation of trapping on the refuge. State trapping regulations are established to ensure healthy, sustainable furbearer populations. These regulations also provide potential for income from a renewable natural resource that supports local subsistence. Trapping can be an integral part of furbearer studies when biologists have sufficient funding to conduct trapper interviews and occasionally purchase large numbers of carcasses to determine population parameters such as productivity and reproductive history. Intensity of harvest and density of traplines on Innoko Refuge are very low, and overall trapping pressure has declined since the 1980s. Therefore, except for the occasional harvest of non-targeted animals, trapping has little impact on the refuge. Diminishing trapping activity seems to have been the result of low fur prices, high energy prices, and an increasing number of people leaving the village for seasonal jobs outside of the area. Refuge staff will monitor harvest to the extent possible and attempt to determine trends through field observations and trapper interviews. If population concerns manifest, the Service will become engaged in review of the appropriate State of Alaska trapping regulations. The refuge will also be engaged in field enforcement of trapping regulations.

The introduction of invasive plant species, perhaps from seeds carried on equipment used in support of trapping efforts (e.g., boats, snowmobiles, dogsleds, and straw bedding), could affect refuge resources, although it is not known to have occurred on the Innoko Refuge. The Service will be vigilant to prevent such introductions.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge's Comprehensive Conservation Plan. No comments were received on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Justification:

Trapping is a long-established use of the refuge. The State of Alaska manages harvest of furbearers to ensure their long-term sustainability. Most trapping occurs at the time of year when there are few visitors on the refuge. The majority of trapping effort on the refuge may be characterized as an extension of local subsistence activities. The current level of trapping, or even an increase in trapping activities, would likely have a negligible effect on the resources of Innoko Refuge. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of Use” section of this determination, it is my determination that trapping activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Marcotte, J.R. and T.L. Haynes. 1985. Contemporary resource use patterns in the upper Koyukuk region, Alaska. Division of Subsistence Technical Paper No. 93. Alaska Dept. of Fish and Game, Anchorage, AK.

Strong, B.J. and E. W. McIntosh. 1985. Resource harvest by local residents of the Upper Koyukuk Region in 1984. U.S. Fish and Wildlife Service, Fairbanks, AK. 51pp.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service, Anchorage, AK

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Wildlife Society Position Statement on Traps, Trapping and Furbearer Management. 2005. <http://www.wildlife.org/policy/positionstatements/09-Trapping.pdf>.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-year Re-Evaluation Date (for allowed uses only): 2018

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: Snowmobiling

Primary Use: Snowmobiling

Supporting and Incidental Uses: Hunting, fishing, trapping, natural resource gathering, firewood cutting, camping, picnicking, cross-country skiing, wildlife photography and videography, snowshoeing, pets, research, scientific collecting, surveys, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates use of snowmobiles for access to Innoko Refuge. Snowmobiles were originally found to be compatible during preparation of the Refuge Comprehensive Conservation Plan in 1987. Snowmobiles were again determined to be compatible, subject to reasonable regulation, in 1992. The Alaska refuge regulations define a snowmobile as “a self-propelled vehicle intended for off-road vehicle travel primarily on snow [and] having a curb weight of not more than 1,000 pounds, driven by track or tracks in contact with the snow and driven by a ski or skis in contact with the snow (50 CFR 36.32).” Alaska refuge regulations also specify that snowmobiles are only allowed during periods of adequate snow cover. Adequate snow cover is defined as an amount of snow, distributed in a continuous manner, which will protect underlying vegetation from adverse effects. Innoko Refuge staff consider adequate snow cover for this use to be at least six inches. Snowmobile use occurs during winter, mostly from the villages of Grayling and Shageluk. Although the exact amount of snowmobile use on the refuge is not documented, it is not believed to be substantial. Snowmobiles are an important means of access for subsistence and trapping activities and are a means of access for non-local recreation in winter. The majority of snowmobile use on Innoko Refuge takes place along well-established inter-village trails, along traditional trapline trails, or to access refuge inholdings. (*See also compatibility determinations on trapping and non-wildlife-dependent recreation activities.*)

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage this use. Currently, monitoring is conducted by talking with local residents and, during winter and spring, through overflights of the refuge conducted for other purposes.

Anticipated Impacts of the Use:

Potential impacts of snowmobile use include disturbance of underlying vegetation and wildlife, and noise pollution. Because the majority of snowmobile use occurs on established trails, many of which are ice covered rivers, disturbance to vegetation above and beneath the snow is minimal and localized. In areas where snowmobiles leave established trails, there may be small amounts of damage to shrub branches above the snow level.

If snowmobile use on Innoko Refuge increased substantially, such as from additional activity associated with the Iditarod Dogsled race, disturbance to important subsistence species, including moose and limited caribou groups could occur (McTaggart 1981, Creel et al. 2002). Denning bears are most susceptible to snowmobile disturbance. Actions by ill-advised or uninformed snowmobile user could cause bears to abandon dens and harm newborn cubs incapable of travel (Jonkel 1980). Snowmobile use could also affect moose and caribou energy budgets, reproductive success, and long-term survival (Fancy and White 1985). Disturbance from noise could have an adverse effect; however, the presence of snowmobile trails could provide access through deep snow in winter. In addition, the wild character of Innoko Refuge and Innoko Wilderness could be altered by increased noise disturbance; this disturbance is expected to be minimal as there are very few winter visitors who are not using snowmobiles.

The introduction of invasive plant species, perhaps from seeds carried on snowmobiles or sleds, could affect refuge resources, although it is not known to have occurred on the Innoko Refuge. Refuge staff will be vigilant to prevent such introductions.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge’s Comprehensive Conservation Plan. The State of Alaska recommended that we reference both the trapping and non-wildlife dependent recreation activities compatibility determinations in the “Description of Use” section of this compatibility determination. The State also requested we include a reference to ANILCA provisions for snowmobiles

to the Justification section of this compatibility determination. We added the references requested by the State.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Visitors will be required to comply with any regulations in place, such as seasonal closures for resource protection.

Justification:

ANILCA section 811 provides for snowmobile access for subsistence purposes, and section 1110 allows the use of snowmobiles for traditional activities and for travel to and from villages and home sites. Snowmobiles allow access for a majority of winter activities on the refuge, and present use levels support compatible refuge activities. Regulations defining the size and weight of snowmobiles, coupled with the requirement that adequate snow cover be present, eliminate most potential for damage to habitat. The current low level of snowmobile use on Innoko Refuge would have negligible adverse effects on wildlife and habitat. If the intensity of snowmobile use increases greatly, which is a real possibility if the Iditarod National Historic Trail were to be used as a modern race trail and recreational trail ride were to follow, disturbance to sensitive wildlife species and habitats, such as denning bears and wind-scoured areas with insufficient snow cover, may occur. The refuge will continue to monitor snowmobile use levels and winter travel conditions and may take restrictive action if conditions warrant. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of Use” section of this determination, it is my determination that snowmobile use within the refuge does not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Creel, S., J.E. Fox, A. R. Hardy, J. Sands, B. Garrot, and R.O. Peterson. 2002. Snowmobile activity and glucocorticoid stress responses in wolves and elk. *Conservation Biology* 16(3):809
<http://www.montana.edu/wwwbi/staff/creel/snomoGC.pdf>

Fancy, S. G., and R. G. White. 1985. Energy expenditures by caribou while cratering in snow. *Journal of Wildlife Management* 49(4):987-993.

Jonkel, C. J. 1980. Black, brown, and polar bears. Pages 227–228 in *Big game of North America: ecology and management*. J. L. Schmidt and D.L. Gilbert, eds. Harrisburg, Pennsylvania: Stackpole Books.

McTaggart-Cowan, I. 1981. Wildlife conservation issues in northern Canada. Canadian Environmental Advisory Council report, no. 11. University of Calgary, Canada.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 18, 2008
(Signature) (Date)

Mandatory 10-Year Re-evaluation Date (for allowed uses only): 2018

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: Temporary Camps

Primary Use: Temporary camps.

Supporting and Incidental Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, hunting, natural resource gathering, camping, picnicking, snowmobiling, hiking and backpacking, pets, wildlife photography and videography, swimming and beach use, firewood cutting.

Refuge Name: Innoko National Wildlife Refuge

Establishment and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates existing temporary camps and the potential for additional temporary camps to support the taking of fish and wildlife. This use was originally found to be compatible in the

Refuge Comprehensive Conservation Plan (1987). Two temporary camps exist on the refuge that are not under permit. Most local rural residents conduct these uses on refuge lands supported by use of cabins that are located on private native allotments; however, it is possible that there may be future applications for temporary camp permits. Applications for permits for new trapping or subsistence cabins will be evaluated in separate compatibility determinations.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage temporary camps at current and projected levels. Administrative staff time primarily would involve phone conversations and written correspondence, and issuing permits. Field work associated with administering permits would primarily involves monitoring permittees' compliance with the terms of the permits and evaluating potential damage caused by wildfires. Estimated staff time to annually administer and monitor these permits would be one week or less.

Anticipated Impacts of the Use:

Special conditions attached to each special use permit are designed to minimize the chances of adverse effects to resources within the refuge and to its visitors. There are two primary concerns: wildlife and habitat impacts and visual impacts. Most wildlife using the area near such structures is likely habituated to the presence of these structures and the activities that routinely occur in and near them. The structures provide relatively secure storage for food, trapping supplies and bait, and other materials that might attract bears.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the Refuge's Comprehensive Conservation Plan. The State of Alaska requested we delete the phrase "local rural residents" because the use of trapping cabins is not limited to local rural residents. We deleted this phrase. We also changed the description of use to indicate that for we are evaluating temporary camps only as there are currently no trapping or subsistence cabins authorized on the refuge. The previous holder of cabin permits let the permits expire and abandoned the structures. The compatibility of any new cabins would be evaluated in separate compatibility determinations.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations may be required. The permit includes details of the specific use. In the following section are typical special use permit stipulations, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space would be incorporated into permits on a case-by-case basis. Other specific stipulations may be included in individual permits.

The management direction provided in the revised Comprehensive Conservation Plan for the refuge will be implemented. Monitoring would be used to determine what additional management actions, if any, would be needed to ensure compatibility. Continuing law enforcement and administrative monitoring of permits would ensure compliance with the following conditions that are incorporated into all permits to minimize impacts on lands and resources within the refuge. These stipulations will be updated, if necessary, to comply with the requirements of future step-down plans.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and animals taken must be salvaged in accordance with State regulations.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his or her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Any major exterior rehabilitation of or additions to existing structures must have the refuge manager's prior approval in writing. This does not include minor remodeling or routine maintenance.
- Subject to available suppression resources and taking into consideration specific site conditions (including human presence), permitted cabins, structures, and/or related facilities may be protected from wildfire to the extent possible. Human safety will receive the highest priority

consideration by land managers and fire suppression personnel.

- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity that is contrary to State and Federal laws.

Refuge-Specific Special Conditions

- All garbage and noncombustible debris will be removed from the refuge. Food, garbage, and/or other materials will be stored so as not to attract bears and other wildlife.
- Use of cabins is authorized for trapping or subsistence related activities only. Use of the cabin for any other purposes is prohibited and will result in revocation of the permit. The permittee must notify the refuge manager of any proposed or ongoing changes in use or in cabin users.
- This permit is not marketable or transferable and is subject to renewal five years from the date of issuance.
- The permittee acknowledges that he/she has no interest in the real property on which the cabin(s) and related structures are located. The granting of this permit in no way implies that the permittee has exclusive use of the site or lands covered by the permit, or of local resources.
- The permittee agrees to vacate the cabin(s) and related structures within one year of nonrenewal or revocation of this permit and will leave the surrounding grounds in a neat, clean, and orderly condition. If the permittee fails to remove all personal property within one year, the permittee will be liable for the cost of its removal and the restoration of the site.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites, or caches used by subsistence users.
- A valid copy of the issued special use permit, signed by the refuge manager or designee, must be in the permittee's possession at all times while exercising the privileges of the permit.

Justification:

The impacts of these permanent and semi-permanent facilities to refuge resources and other refuge users were considered in detail during the permit application and renewal process. Regulations at 50 CFR 36.33 (d) state in part that “a nontransferable, five-year special use permit shall only be issued upon a determination that the proposed construction, use and maintenance of the cabin is compatible with refuge purposes and that the cabin use ... is needed for continuation of an ongoing activity or use otherwise allowed within the refuge where the applicant lacks a reasonable off-refuge site. In addition these activities must have historically been supported by the construction and use of cabins in the geographic area. In general, new cabins will be given only to local residents to pursue a legitimate subsistence activity...” Trapping and subsistence are the primary uses that historically have been supported by cabins in the Innoko Refuge area, therefore, the refuge manager must issue a permit if it is otherwise compatible with refuge purposes. Refuge staff will monitor compliance with permit special conditions to ensure that the cabins and use of the cabins will not adversely affect resources within the refuge or other visitors. After fully considering the impacts of these activities, as described previously in the “Anticipated Impacts of Use” section of this determination, it is my determination that subsistence and trapping cabin use within the refuge does not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-Year Re-Evaluation Date: 2018

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 Harvest of House Logs

Primary Use: Construction of homes or outlying cabins.

Supporting and Incidental Uses: Boating (motorized and non-motorized), snowmobiling, camping, picnicking, hiking and backpacking, pets, wildlife photography and videography, and firewood cutting.

Refuge Name: Innoko National Wildlife Refuge

Establishment and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
 - (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.
- [Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates subsistence house log cutting as a use of Innoko Refuge. Subsistence log cutting was originally found to be compatible in the Refuge Comprehensive Conservation Plan (1987) and was again determined to be compatible in 1992. Associated uses include hunting, fishing, trapping,

firewood gathering, berry picking, and gathering of other plant materials while harvesting trees for house building. These uses also include motorboat access and other means of surface transportation traditionally employed for such subsistence purposes, as allowed under ANILCA section 811. According to 50 CFR, 36.15, “Notwithstanding any other provision of this part, the noncommercial cutting of live standing timber by local rural residents for appropriate subsistence uses, such as firewood or house logs, may be permitted in Alaska National Wildlife Refuges as follows: For live standing timber greater than six inches diameter at breast height (4 ½ feet above ground level), the Refuge Manager may allow cutting in accordance with the specifications of a special use permit if such cutting is determined to be compatible with the purposes for which the refuge was established.”

Residents of Grayling, Anvik, Shageluk, and Holy Cross, located near Innoko Refuge, have lifestyles and economies that depend on subsistence resources. Subsistence activities described here focus primarily on cutting house logs greater than six inches diameter at breast height for local cabin construction, and firewood collecting that may be associated with the logging. Innoko Refuge has some limited historical data on the number of house logs or intensity of harvest for subsistence prior to or shortly after refuge establishment. Permits issued early in the history of the refuge did not assign specific cutting areas. Refuge staff members have issued house log cutting permits since the refuge was established. Most of the permits were to cut logs for personal residences in Grayling. A few permits were issued for logging on refuge lands near private Native allotments where the permittee intended to build a subsistence cabin. Most permits were for 40 logs. Occasionally, materials not suitable for house logs are salvaged for use as firewood. Each permit application is evaluated on its own merits prior to approval.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage subsistence house log harvest activities at existing and projected levels. Management primarily includes surveys conducted specifically for the management of house logs and firewood collecting. Surveys will be conducted from the air and from motor boats and will be used to determine where adequate stands of large white spruce occur and how many trees can be removed while allowing sustainability of riparian spruce stands. It is anticipated that management of these permits will require no longer than one week of staff time annually.

Anticipated Impacts of the Use:

White spruce is the favored timber species for logging. It occurs throughout central Alaska on well-drained floodplain soils, uplands, and south-facing slopes where seasonal thaw is deep. Most white spruce stands in floodplains and on uplands consist of trees 40-50 feet tall and 8-16 inches in diameter. Exceptional trees with diameters of 24-36 inches at breast height and 100 feet tall may occur on floodplain islands that have not been burned for a long time. Stands of white spruce of a size usable for house logs are mainly limited to the Kaiyuh Hills between the Yukon and Innoko rivers. The nearest study aimed at examining sustainability of white spruce logging was about 100 miles south at Nowitna Refuge, where Lambrecht (2004) estimated a sustainable harvest of one house log per 2.5 acres per year in ideal riparian white spruce habitat on islands along the Yukon River. Current permits assign cutting areas, and staff will conduct follow-up site visits to examine cutting intensity. If cutting intensity increases, refuge staff will make an effort to determine sustainable harvest levels and regeneration time for riparian white spruce. In the meantime, trees will be taken based on sustainability recommendations adopted from Koyukuk and Nowitna refuges. Possible impacts to anadromous fish will be minimized by following appropriate sections of the Alaska Forest Resources & Practices Act (Alaska Statutes 41.17 sec. 115-119).

Impacts to habitat caused by supporting aircraft, boats, snowmobiles, and foot travel are generally believed to be minimal. Much of the access by subsistence users is by boat (spring and summer) or snowmobile

(winter) during adequate snow cover. Impacts to the wild character of Innoko Refuge will be minimized through special conditions limiting the number of trees that can be taken within 10 feet of river banks. The introduction of invasive plant species, perhaps from seeds carried on boats, snowmobiles, or dog sleds, could affect refuge resources, although it is not known to have occurred on the Innoko Refuge. Logging sites may be particularly vulnerable to establishment of non-native, noxious weeds if the ground is disturbed. Refuge staff will be vigilant to prevent such introductions.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge's Comprehensive Conservation Plan. No comments were received on this compatibility determination.

Refuge Determination (check one below):

- Use is not compatible
 Use is compatible

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for some house log cutting. The permit includes details of the specific use. In the following section are typical special use permit stipulations some of which are necessary for compatibility. Site specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Other project-specific stipulations may be included in individual permits. Monitoring of permits will be carried out to ensure compliance with the terms of the permit (including the special conditions) to minimize impacts on lands and resources within the refuge.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and must be salvaged in accordance with State regulations.
- This permit does not grant the permittee and his/her employee's exclusive use of the site(s) or lands covered by the permit.
- 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.).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in

person or by telephone before beginning and upon completing activities allowed by this permit.

- The permittee shall provide the refuge manager with a report including the number of trees harvested, estimate of size (length & diameter) of logs, and which area(s) logs were harvested from) under this permit within 30 days of permit expiration.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his or her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Construction of cabins or other permanent structures is prohibited.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity which is contrary to State and Federal laws.

Refuge Special Conditions

- All garbage and non-combustible debris will be removed from the refuge. Food, garbage, and/or other materials will be stored so as not to attract bears and other wildlife.

- Collection of logs is limited to permitted area.
- The permit authorizes the harvest of logs only for permittee’s personal use for construction of subsistence cabins and houses. Harvest of logs for commercial use is prohibited.
- The permittee is not authorized to clear cut or group harvest an area, and is required to follow selective cutting procedures when harvesting trees (e.g., after harvesting one tree, the next tree harvested must be a minimum of 100 feet away from the previously cut tree). This 100-foot restriction does not apply to trees that are ready to fall in the river (“leaners”). Trees should be cut no closer than 10 feet from the river banks, although “leaners” may be cut if desired.
- The permittee is required to lop and scatter all slash (i.e., all branches must be cut off the bole, with the remaining bole cut every four feet). Cut limbs may not be concentrated on the site—all tree harvest debris must be scattered to avoid fuel accumulations and eliminate potential spruce bark beetle habitat.
- The permittee is required to utilize as much of the harvested tree as possible.

Justification:

One of the purposes of Innoko Refuge is to provide for continued subsistence uses by local residents, consistent with the other refuge purposes of conserving fish and wildlife populations and habitats in their natural diversity 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 the physical, economic, traditional, social, and cultural existence of rural residents of Alaska. ANILCA established a preference for subsistence users, stating that the taking of fish and wildlife on public lands for non-wasteful subsistence use is given priority over other consumptive uses. Previous studies on a nearby refuge estimated the allowable sustainable cut for house logs. Our management of log cutting permits on Innoko Refuge will strive to allow cutting at sustainable rates. Section 811 of ANILCA ensures that subsistence users can access public lands by snowmobile, motorboat, and other traditionally used means of transportation, subject to reasonable regulation. After fully considering the impacts of these activities, as described previously in the “Anticipated Impacts of the Use” section of this determination, it is my determination that subsistence house-log gathering within the refuge does not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Code of Federal Regulations, 50, U.S. Government Printing Office, Washington: 2003.

Division of Forestry, Department of Natural Resources, 2000. Alaska Forest Resources and Practices Regulations.

Klein, David R., David F. Murray, Robert H. Armstrong, and Betty A. Anderson. 2005. Status and Trends of the Nation’s Biological Resources. Alaska. <http://biology.usgs.gov/s+t/SNT/noframe/ak177.htm>

Lambrecht, R. 2004. Forest Inventory - Nowitna NWR Islands. Unpubl. report in files, USFWS, Galena, AK. 4pp.

McGee, R. and E. W. McIntosh. 1984. Local resident harvest inventory – Phase II, Upper Koyukuk Subsistence Study. U.S. Fish and Wildlife Service, Kanuti NWR, Fairbanks, AK. 16pp.

Appendix F: Compatibility Determinations

Strong, B.J. and E.W. McIntosh. 1985. Resource harvest by local residents of the Upper Koyukuk Region in 1984. U.S. Fish and Wildlife Service, Kanuti NWR, Fairbanks, AK. 51 pp.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

USFWS. 1992. Subsistence Management for Federal Public Lands in Alaska, Final Environmental Impact Statement, Record of Decision, April 2, 1992.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-year Re-evaluation Date (for allowed uses only): 2018

NEPA compliance for Refuge Use Decision:

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

Compatibility Determination

Use: Scientific Research

Primary Use: Research and surveys.

Supporting and Incidental Uses: Fixed-wing aircraft landings, helicopter landings, boating (motorized and non-motorized), snowmobiling, environmental education and interpretation (not conducted by refuge staff or authorized agents), fishing, firewood cutting, trapping, natural resource gathering, camping, picnicking, cross-country skiing, hiking and backpacking, wildlife photography, videography, and audio recording, snorkeling and scuba diving, snowshoeing, swimming and beach use, scientific collecting, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 is a re-evaluation of an existing public use that was originally found to be compatible in 1992. Scientific research has been and would continue to be a common activity within Innoko Refuge. Research activities would occur at all times of the year but mostly in the spring, summer, and fall. A partial list of research categories includes biology, ecology, botany, entomology, geology, climatology, paleontology, archaeology, paleoecology, sociology, hydrology, and anthropology.

This compatibility determination addresses the full spectrum of uses associated with the scientific research and surveys of fish, wildlife, habitat, and other refuge resources. It includes all means of access, lodging and facilities, and other elements identified in the research proposal. Research proposals that substantially differ in scope and purpose from the activities covered by this compatibility determination will require a separate determination for compatibility. The scope of this determination includes research conducted by all agencies or entities other than the Service. Scientific research that is part of a collaborative effort or part of a cooperative effort with the U.S. Fish and Wildlife Service is not subject to a formal compatibility determination.¹

Most activities occur during spring, summer, and fall, but winter research and surveys are also possible. Since establishment, Innoko Refuge has issued one to four scientific research permits annually. Permits have been issued primarily to universities for academic research and to other government agencies, such as the U.S. Geological Survey, the Bureau of Land Management, the U.S. Forest Service, and State agencies.

Scientific research may employ a wide spectrum of methods from many disciplines of science. Researchers would be required to submit investigation plans or proposals, annual activity reports, and copies of publications resulting from the research. Proposed research and investigation plans developed for research on the refuge are expected to be peer reviewed. The type and level of review should be commensurate with the potential significance of the scientific information and its likely influence on policy and management actions. Researchers would also be encouraged to communicate research activities and findings to refuge staff, communities near the refuge, and the public.

Researchers will be required to minimize impacts on refuge resources and on other users of refuge lands, and to minimize negative encounters with wildlife. When justified to collect important data not otherwise available, lethal sampling may be allowed. All applicable permits related to lethal sampling must be obtained. Equipment for sampling may include both hand-powered and motorized instruments (tools). Logistical support for research activities may include base camps with tents, tent frames, spike camps, weatherports, removable floors, existing administrative cabins, satellite communication systems, human waste management, and temporary fuel and supply caches. Any scientific research activity that involves an invasive procedure or that harms or materially alters the behavior of an animal under study must be reviewed and approved by a recognized Institutional Animal Care and Use Committee pursuant to the Animal Welfare Act before implementing field work.

When a special use permit is required, stipulations are included to ensure compatibility. When requested, the permittee would provide logistical support for site visits. Logistical support may include transportation from McGrath or a community adjacent to the refuge. An administrative fee is charged to

¹ Scientific research done by the Service is a refuge management activity and thus is exempt from the compatibility determination process. Regulations at 50 CFR 25.12 defines refuge management activities as any activity conducted by the Service or a Service-authorized agent to fulfill one or more purposes of the National Wildlife Refuge, or the National Wildlife Refuge System Mission. Service-authorized agents include contractors, cooperating agencies, cooperating associations, refuge support groups, and volunteers.

private companies and for-profit organizations seeking to do research or data collection on the refuge. This fee is waived for research associated with public agencies and educational institutions.

Specific authorized means of access for all areas on the refuge will be described in each special use permit. Potential means of access include fixed-wing aircraft, helicopter, motor boats, non-motorized boats, hiking, snowshoeing, snowmobiles (providing there is adequate snow cover), and cross-country skiing. Requests for access by helicopter are anticipated and would be considered on a case-by-case basis with regard to refuge purposes, helicopter use in the Innoko Wilderness will be required to meet a the minimum tool requirement through the “Minimum Requirements Decision Guide” process.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage research activities at existing and projected levels. Administrative staff time primarily involves phone conversations, written correspondence, proposal review, and interaction with researchers. Field work associated with administering the program primarily involves monitoring researchers’ compliance with the terms of the permit. Total staff time required is less than two weeks per year.

Anticipated Impacts of the Use:

The refuge manager will assist the applicant with obtaining appropriate collection permits for research involving fish and wildlife. Factors such as targeted research species, number of researchers, transportation modes, number of aircraft and amount of aircraft use, number of watercraft and frequency of use, fuel storage, garbage and human waste management, type and location of lodging, and location of access points will determine the extent of impacts on the refuge. The introduction of invasive species carried on boats or aircraft floats could affect refuge resources. There have been a limited number of invasive species introductions on Innoko Refuge and refuge staff will be vigilant to prevent future occurrences.

Frequency of this activity may rise in the next 10 years as interest in arctic and sub-arctic ecosystems and global climate change increases. This could lead to more aircraft landings, natural resource collection, and conflicts with refuge visitors. However, special conditions imposed on scientific research and associated activities would ensure these activities would not have significant impacts on wildlife resources, water quality, soil, vegetation; or other refuge users, especially subsistence users. Anticipated impacts to natural resources and refuge visitors from this activity at present levels, as well as the levels expected to occur in the next 10 years, are minimal.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the Refuge’s Comprehensive Conservation Plan. The State of Alaska requested clarification that special use permits are not required for all scientific research under the “Description of Use” section. We made the requested change.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Refuge staff will monitor all research being conducted on the refuge. Findings from monitoring will be used to determine what additional management actions, if any, are needed to ensure research activities remain compatible with refuge purposes. Unless access is specifically authorized as part of a cooperative research project with the Service, seasonal access limits may apply to research activities.

A special use permit with stipulations is required for most scientific research on Innoko Refuge. The permit includes details of the specific research. In the following section are typical special use permit stipulations, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Other project specific stipulations may be included in individual permits.

Continued monitoring of all authorized research activities will be carried out to ensure compliance with specific terms and conditions tailored for each research project's permit and to ensure that permittee is following general conditions that are incorporated into all research permits to minimize impacts on refuge lands and resources.

Regional Standard Special Conditions:

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and animals taken must be salvaged in accordance with State regulations.
- This permit does not grant the permittee and his/her employees or coworkers exclusive use of the site(s) or lands covered by the permit.
- 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.).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with (1) the name and method of contact for the field party chief and/or supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistant guides and helpers; and (4) any changes to information provided in the original permit application.

- The refuge manager, upon request, shall be afforded the opportunity and logistical support from the nearest commercial transportation site to accompany the permittee 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.
- The permittee shall provide the refuge manager with a report of activities under this permit within 30 days of permit expiration.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground.
- The use of helicopters may be authorized, provided that landing is prohibited except for the direct support of the activity covered by this permit and emergencies (no recreational use of helicopters is permitted), and no clearing of vegetation for landing and/or takeoff is permitted.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his/her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Construction of cabins or other permanent structures is prohibited.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity that is contrary to State and Federal laws.

Refuge Special Conditions:

- All information, reports, photos, data, collections, and observations obtained as a result of this permit must be accessible from the permittee at any time upon request by the Service at no cost unless specific arrangements are made to the contrary. The Service recognizes the proprietary nature of scientific data and will respect the researcher's privileged position regarding first publication. These data may be used in resource management decisions by the Service prior to their publication, however. Proprietary data of commercial value will be treated confidentially upon request but may also be used in management decisions.
- Prior to implementing field work, the permittee must provide documentation that activities that involve an invasive procedure that harms or materially alters the behavior of an animal under study have been reviewed and approved by an Institutional Animal Care and Use Committee (IACUC) pursuant to the Animal Welfare Act.
- Some activities may not be permitted in certain areas and/or during some sensitive time periods. Area closures and effective dates may be modified by the refuge manager as needed. Specific authorization to use localities within special areas may sometimes be obtained on a case-by-case basis, depending on the location of animal concentrations, high public use areas, access routes, proposed activity, within Wilderness, etc.

Justification:

Section 101 of ANILCA states, in part, the intent of Congress to maintain opportunities for scientific research on conservation system units, including National Wildlife Refuges. The U.S. Fish and Wildlife Service supports research as described in the Refuge Manual (4 RM 6.1), which states:

“Natural and social science information is necessary for the proper management of the National Wildlife Refuge System. It is the policy of the Service to encourage and support research and management studies in order to provide scientific data upon which decisions regarding management of units of the refuge system may be based. The Service will also permit the 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.”

The refuge manager also may permit the use of a refuge for other investigatory purposes when such use is compatible with the purposes for which the refuge is managed. Priority will be given to studies that contribute to the enhancement, protection, use, conservation, and management of native wildlife populations and their habitats in their natural diversity. All proposed research conducted by other agencies or entities 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 purposes of the refuge or the mission of the National Wildlife Refuge System.

Scientific investigations of wildlife, resources, and social interactions will support the refuge’s ability to provide for wildlife-dependent priority public uses and to meet other refuge purposes. These investigations must be conducted safely. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of the Use” section of this determination, it is my determination that scientific research activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting _____ December 17, 2008
 (Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan _____ December 19, 2008
 (Signature) (Date)

Mandatory 10-Year Re-evaluation Date (for allowed uses only): 2018

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: Helicopter Landings to Support Authorized Activities by Other Federal, Tribal, State, and Local Governments, Universities, etc.

Primary Use: Helicopter landings.

Supporting and Incidental Uses: Research, scientific collecting, surveying, rights-of-way (utility).

Refuge Name: Innoko National Wildlife Refuge

Establishment and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purpose:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 determination re-evaluates helicopter use to support authorized activities of local, State, or tribal governments; other Federal agencies; or universities. This use was originally found to be compatible in the refuge Comprehensive Conservation Plan (1987). One to four applications per year are normally

received to allow helicopter landings as part of some other authorized use such as scientific research (geologic, fire ecology, archaeology, etc.), State of Alaska wildlife capture work, and fish or wildlife surveys. Permits could be issued at any time of the year but are most likely to be for activities during spring, summer, or fall. Routine State law enforcement use of helicopters would typically be limited to special cases and would normally be preceded by close coordination between the Alaska State Troopers and the refuge manager.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage helicopter use to support authorized activities at existing levels. Administrative staff time primarily involves phone conversations and written correspondence. Field work associated with administering the use primarily involves monitoring compliance with the terms of the permit. It is estimated that less than a week of staff time is required to manage this use on Innoko Refuge.

Anticipated Impacts of the Use:

Adverse impacts associated with helicopter landings on the refuge would be associated with displacement of wildlife, particularly during ungulate calving and bird nesting seasons (Calef et al. 1976, Gunn et al. 1985, Miller 1994, Ward et al. 1994). The experience of refuge visitors could also be adversely affected by noise disturbance. Hunters would likely be especially vulnerable to disturbance by helicopters, because of wildlife displacement and noise.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge's Comprehensive Conservation Plan. The State of Alaska requested that we change the Regional Special Use Permit Condition regarding helicopter use. We did not make the requested change. The section previous to the special conditions states, "In the following section are typical special use permit stipulations, some of which are necessary for compatibility." The specifics of any helicopter landings special use permit will be addressed in the face of the permit and the special conditions attached to that permit.

Refuge Determination (check one below):

Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for most helicopter landings on Innoko Refuge. The permit includes details of the specific use. In the following section are typical special use permit stipulations, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Other specific stipulations may be included in individual permits. Monitoring will be carried out to ensure compliance with the terms of the permit (including the special conditions) to minimize impacts on lands and resources within the refuge.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.

- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and animals taken must be salvaged in accordance with State regulations.
- This permit does not grant the permittee and his/her client's exclusive use of the site(s) or lands covered by the permit.
- This permit may be canceled or revised at any time by the refuge Manager for noncompliance or in case of emergency (e.g., public safety, unusual resource problems).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with (1) the name and method of contact for the field party chief and/or supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistant guides and helpers; and (4) any changes to information provided in the original permit application.
- The refuge manager, upon request, shall be afforded the opportunity and logistical support from the nearest commercial transportation site to accompany the permittee for the purpose of inspecting 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.
- The permittee shall provide the refuge manager with a report of activities under this permit within 30 days of permit expiration unless stated otherwise in the permit.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.

- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his/her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Construction of cabins or other permanent structures is prohibited.
- All aircraft being used in commercial operations must have 12-inch identification numbers in contrasting colors, which are readily visible.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity that is contrary to State and Federal laws.

Refuge-Specific Special Conditions

- All garbage and non-combustible debris will be removed from the refuge. Food, garbage, and/or other materials will be stored so as not to attract bears and other wildlife.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites or caches used by subsistence users. To minimize the potential for conflicts with subsistence users, the permittee must review the Innoko National Wildlife Refuge land status maps to ascertain the location of selected and conveyed lands within refuge boundaries.
- Permittee will ensure that all aircraft transiting the refuge actively avoid large mammals (including moose, caribou, grizzly bears, black bears, wolves, active bald eagle nests, and large flocks of waterfowl). "Active avoidance" includes making a vertical or lateral deviation from a flight path within flight safety parameters to minimize or prevent adverse impact on the animals.

Regional Chief,
National Wildlife
Refuge System:

/s/ Todd J. Logan
(Signature)

December 19, 2008
(Date)

Mandatory 10-Year Re-Evaluation Date: 2018

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: Commercial Transporter Services

Primary Use: Transporter Services.

Supporting and Incidental Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, environmental education, interpretation, fishing (guided and non-guided), hunting (guided and non-guided), trapping, natural resource gathering, camping, picnicking, cross-country skiing, dog sledding and skijoring, pets, hiking and backpacking, wildlife photography, videography and audio recording, snowshoeing, swimming and beach use, research, scientific collecting, surveys, and wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 description of use includes a re-evaluation of the compatibility of use of Federal lands within Innoko Refuge for commercial transporter services. These services allow the public to hunt, fish, or enjoy other outdoor activities on the remote and largely inaccessible Innoko Refuge. Commercial transporter use was originally found to be compatible in 1987 during the development of the original Comprehensive Conservation Plan for Innoko Refuge. Commercial transporter use was again determined to be compatible in 1992, subject to reasonable regulation. Since establishment, Innoko Refuge has issued 4-10 special use permits annually to commercial air taxi businesses desiring to provide transportation services within the refuge. In most recent years, there have usually been 8-10 commercial transporters permitted to operate on the refuge. These transporters have provided services to an average of 35-45 parties per year, primarily for hunting, fishing, or river floating. The lengths of typical trips made by commercially transported clients are usually in the range of 7-10, although shorter trips sometimes occur.

The objective of allowing commercial transporter services in national wildlife refuges is to make available a variety of quality opportunities for the public to hunt, fish, or enjoy outdoor activities where such activities are compatible with the refuge's purposes, resources, and management objectives. Furthermore the Congressional Committee Report on the National Wildlife Refuge System Improvement Act of 1997 states: "It establishes as the policy of the United States that wildlife-dependent recreation, when it is compatible, is a legitimate and appropriate public use of the Refuge System, through which the American public can develop an appreciation for fish and wildlife."

Most of Innoko Refuge is located within State of Alaska Game Management Unit (GMU) 21A, although a small part is within GMU 21E and 21D. Moose, some caribou, black bear, and brown bear are available, and wolves and wolverine may be taken incidentally within Innoko Refuge. The Paradise Controlled Use Area (PCUA), which includes the southwestern portions of the refuge, was established by the State of Alaska in 1981. The PCUA restricts aircraft access for the transport of moose hunters, gear, or moose parts. (However, moose hunters, their gear, and/or moose parts may be transported by aircraft between publicly owned airports in the controlled use area or between a publicly owned airport within the area and points outside the area.) The PCUA is bounded by a line beginning at the old village of Paimiut, then north along the west bank of the Yukon River to Paradise, then northeast to the mouth of the Anvik River, then along the west bank of the Yukon River to the lower end of Eagle Island (approximately 45 miles north of Grayling), then to the mouth of the Iditarod River, then down the east bank of the Innoko River to its confluence with Paimiut Slough, then south along the east bank of Paimiut Slough to its mouth, and then to the old village of Paimiut. State of Alaska hunting regulations (5AAC) describe State seasons, bag limits, and regulations pertaining to hunting, fishing, and trapping.

Commercial transporters provide a service that most non-local visitors require to access the refuge. Most commercial transporting activities on Innoko Refuge are conducted by air taxis with float-equipped aircraft. There are also two commercial boat transporters permitted on the refuge. Transporters are required, as a condition of their permits, to provide information on the primary activity, location, length of stay, group size, and other related items. These reports provide the most accurate and reliable information the Service has on refuge use by unguided visitors. Commercial transporter-related services contribute to fulfillment of refuge purposes and the National Wildlife Refuge System mission by providing access for refuge visitors unable to provide their own access, and therefore facilitate priority public uses such as recreational hunting, fishing, and wildlife observation, and other uses found compatible in separate compatibility determinations. Many of these compatible public uses contribute directly to maintaining healthy fish and wildlife populations through managed use.

Operators are required to submit an annual report of client trips to refuge lands. There is currently no limit to the number of trips or clients air taxi operators can take to the refuge, nor is there a limit to the

number of air taxi operators permitted to operate on Innoko Refuge. There is an open period in the spring in which all commercial transporters must apply for their special use permits for that year: this action prohibits an operator from accepting a number of clients at the last moment and just dropping clients off, potentially producing an overcrowded situation. This is an existing activity that supports wildlife-dependent priority public uses. Activities generally occur May through September since timing typically coincides with State fishing and hunting seasons.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage commercial transporter service activities at existing and projected levels. Administrative staff time primarily involves reviewing permit applications, responding to applicants, issuing and renewing special use permits and collecting client use fees. Field work associated with administering the program primarily involves patrolling during hunting and fishing seasons to monitor permittees' compliance with permit terms, and to determine whether unpermitted operators are using the refuge. It is anticipated that this use will require a total of one week of staff time for permit issuance and/or renewal, activity reporting, administration of use-day fees, and field compliance checks. An administrative fee of \$100 fee is assessed when each special use permit is issued. In addition, client use-day fees are assessed for each day a transporter drops off and/or picks up a client on the refuge. Fees collected are returned to the refuge to administer the program.

Anticipated Impacts of the Use:

Impacts associated with the activities that occur on Innoko Refuge as a result of commercial transporters providing the public access to the refuge are addressed in the respective compatibility determinations for each activity. The refuge is directly involved in review and implementation of the regulatory process and administrative oversight of the activity. Because of combined law enforcement efforts of State and refuge personnel, direct impacts from commercial transporter services under existing management should have minimal affects to fish and wildlife resources within the refuge, other resources, or other visitors.

Available moose hunting areas outside of the PCUA are concentrated in narrow river corridors along the Innoko Refuge river systems and hence do not afford compelling opportunities for users to hunt in isolation or with little competition. Commercially transported non-local big game hunters may, in some cases, result in some competition or interference with subsistence users for the limited number of game animals in these corridors. Refuge staff are aware of these potential conflicts and monitor use levels each hunting season. Should conflicts arise, the Service will work to address them through the Federal Subsistence Board and Alaska Board of Game. These Boards have established regulations aimed at managing populations of animals at sustainable levels and avoiding conflicts between user groups. The refuge staff was a very active cooperator in the completion of the State's Unit 21E Moose Management Plan; implementation of which will hopefully alleviate some of these issues.

Impacts to refuge habitats would be minimal and transitory because access to the refuge would be primarily by landing float-equipped aircraft on lakes and rivers, or by boats on the same rivers. Landings on vegetated lowland tundra and disturbance to vegetation would be limited under the stipulations of the special use permit. The introduction of invasive species carried on aircraft floats and boat hulls could affect refuge resources, although it is not known to have occurred via this transmission method within Innoko Refuge to date, and staff will be vigilant to prevent such occurrences. In addition, frequent aircraft traffic could impact nesting, molting or staging birds (Ward et al. 1994). Winter access would be by aircraft fitted with skis. Disturbance to vegetation would be limited by conditions within the special use permit. Temporary displacement and/or disturbance to wildlife can occur in response to low level

overflights and during takeoffs and approaches to landings (Calef et al. 1976), but impacts would likely be short term and minimal.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge’s Comprehensive Conservation Plan. The State of Alaska requested we add the word “potentially” in front of “producing an overcrowded situation” in the last paragraph of the “Description of Use” section. We made the change.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for commercial transporter services. The permit includes the details of the services provided. In the following section are typical special use permit conditions, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis.

Continued law enforcement and administrative monitoring of permittees will be carried out to ensure compliance with the terms of the permits including the special conditions, and to minimize impacts to refuge lands and resources.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and must be salvaged in accordance with State regulations.
- This permit does not grant the permittee and his/her clients’ exclusive use of the site(s) or lands covered by the permit.
- 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.).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.

Appendix F: Compatibility Determinations

- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with (1) the name and method of contact for the field party chief and/or supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistant guides and helpers; and (4) any changes to information provided in the original permit application.
- The permittee shall maintain, throughout the use period specified on this permit, insurance (passenger liability of \$150,000 per seat plus \$100,000 on property) covering his/her refuge air taxi/transporter operations. This insurance is required for all aircraft operations involving clients.
- The permittee shall provide the refuge manager with a report that includes the number and species of all animals transported, pick up and drop off locations, numbers of clients, and number of client use days per type of activity. This report is due within 30 days of permit expiration unless stated otherwise in the permit. For law enforcement purposes, the permittee may be required to provide names and addresses of clients.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground level.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his/her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Construction of cabins or other permanent structures is prohibited.
- All aircraft being used in commercial operations must have 12-inch identification numbers in contrasting colors, which are readily visible.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit,

the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.

- 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; 4) and engaging in activity which is contrary to State and Federal laws.

Refuge-Specific Special Conditions

- Motorboat operators must possess U.S. Coast Guard (USCG) licenses for all passenger-carrying operations if required by USCG regulations, and all boats will be operated safely in accordance with 50 CFR, subpart C, 27.32.
- The permittee may not sublet any part of the authorized use area and is prohibited from subcontracting clients with any other transporter.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites, or caches used by subsistence users. To minimize potential for conflicts with subsistence users, the permit holder must a) review Innoko National Wildlife Refuge land status maps to ascertain location of the Paradise Controlled Use Area (when transporting moose hunters) and the location of selected and conveyed lands within the refuge boundary; and b) advise clients that campsites may not be located on selected or conveyed lands without permission of land owners. A copy of this special use permit must be in the airplane at all times while exercising the privileges of the permit.

Justification:

Commercial transporting has been found to be compatible with the purposes of Innoko Refuge and with the National Wildlife Refuge System Mission. Commercial transporting services provide the public with safe access to unique hunting, fishing, wildlife observation, wildlife photography, and environmental education opportunities found few places elsewhere in the world. These are all activities that the National Wildlife Refuge System Administration Act (as amended) identifies as priority public uses. These visitor services are a valuable benefit to a segment of the public that does not have other means of access to the extremely remote environment of the refuge.

Commercial transporters are the Service's primary source of information about unguided use of the refuge. After fully considering the impacts of this activity, as described previously in the "Anticipated Impacts of the Use" section of this document, it is my determination that commercial transporter activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Appendix F: Compatibility Determinations

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. Wildl. Soc. Bull. 22: 220–228.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-year Re-evaluation Date (for allowed uses only): 2018

NEPA compliance for Refuge Use Decision:

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

Compatibility Determination

Use: Commercial Big Game Hunting Guide Services

Primary Use: Hunting (big-game guiding and outfitting).

Supporting and Incidental Uses: Fixed-wing aircraft landings, boating (motorized and non-motorized), snowmobiling, environmental education and interpretation (not conducted by refuge staff or authorized agents), fishing, hunting (non big-game), firewood cutting, natural resource gathering, camping, picnicking, hiking and backpacking, snowshoeing, pets, swimming and beach use, wildlife photography and videography, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 is a re-evaluation of the compatibility of use of Federal lands within Innoko Refuge for big-game guided hunting. The compatibility of recreational hunting on Innoko Refuge is evaluated in a separate compatibility determination. Compatibility of big game guiding was determined during the development of the original Comprehensive Conservation Plan for Innoko Refuge in 1987. Guided hunting was again determined to be compatible, subject to reasonable regulation, in 1992. Commercial guide services have periodically been offered on the refuge since its establishment in 1980. Innoko Refuge has three exclusive commercial big-game guiding areas. These areas were awarded to three guides to 2005, and to two different guides from 2005 to present. The area was reduced from four units to three units to eliminate the competition between subsistence and non-subsistence hunters in the southwestern corner of the refuge: this area is predominantly corporation land.

The 2005 prospectus under which proposals for big-game guiding on Innoko Refuge were solicited states:

“The objective of allowing commercial big game guiding is to make available to the public a variety of quality recreational hunts on areas of the refuge where such activities are compatible with the mission of the National Wildlife Refuge System and the refuge’s purposes, and consistent with management objectives. Refuge policies require that sport hunting must reflect well on the refuge and on the tradition of hunting. It must promote positive hunting values and hunter ethics such as fair chase, and provide participants with reasonable harvest opportunities, less crowding, less competition, fewer conflicts between hunters, relatively undisturbed wildlife, greater hunter safety, less than average crippling loss, and less interference from or dependence on mechanized aspects of the sport. Commercial guiding activities authorized on refuge lands should contribute to these policies.”

The congressional committee report on the National Wildlife Refuge System Improvement Act of 1997 states: “It establishes as the policy of the United States that wildlife-dependent recreation, when it is compatible, is a legitimate and appropriate public use of the Refuge System, through which the American public can develop an appreciation for fish and wildlife.”

Most of Innoko Refuge is located within State of Alaska Game Management Unit (GMU) 21A, although a small part is within GMU 21E and 21D. Moose, black bear, and brown bear are the primary species sought after by hunters, but wolves and wolverine may be taken incidentally on Innoko Refuge. The Paradise Controlled Use Area (PCUA), which includes the southwestern portions of the refuge, was established by the State of Alaska in 1981. The PCUA restricts aircraft access for the transport of moose hunters, gear, or moose parts. (However, moose hunters, their gear, and/or moose parts may be transported by aircraft between publicly owned airports in the controlled use area or between a publicly owned airport within the area and points outside the area.) The PCUA is bounded by a line beginning at the old village of Paimiut, then north along the west bank of the Yukon River to Paradise, then northeast to the mouth of the Anvik River, then along the west bank of the Yukon River to the lower end of Eagle Island (approximately 45 miles north of Grayling), then to the mouth of the Iditarod River, then down the east bank of the Innoko River to its confluence with Paimiut Slough, then south along the east bank of Paimiut Slough to its mouth, and then to the old village of Paimiut. State of Alaska hunting regulations (5AAC) describe State seasons, bag limits, and regulations pertaining to hunting, fishing, and trapping.

Big game guides are competitively selected to operate on refuge lands through a formal process, established by regional policy in 1992 and later codified (50 CFR subpart F, 36.41). Competitive selection is intended to limit or manage commercial guiding to a level compatible with refuge purposes and to ensure that quality guiding services are available to the public. Guides must be qualified and

licensed by the State and are required to follow written operations plans, which are evaluated by Service personnel during the competitive selection process. These operations plans include 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, boat), including other needed facilities such as caches and weatherports; 5) access points and mode(s) of transportation (e.g., airplanes, boats, snowmobiles, pack animals, and other nonmotorized means); 6) fuel storage needs; and 7) services provided by others (e.g., contracts for transportation, food services).

This compatibility determination addresses the full spectrum of uses associated with the overall activity of commercially guided hunting of big game, including all means of access, lodging, facilities, and other elements identified in the guides' operations plans. Authorized modes of access for all areas within Innoko Refuge include fixed-wing aircraft, motor boats, snowmobiles, non-motorized boats, dogsled, foot, snowshoe, and cross-country skis. Lodging and facilities include tents, tent frames, tent platforms, weatherports, and caches. The use of off-road vehicles by big game hunting guides and their clients is not authorized on Innoko Refuge.

This is an existing activity that supports wildlife-dependent priority public uses. Activities would occur throughout Innoko Refuge during State regulated hunting seasons.

Availability of Resources:

Permits are issued competitively for five years, with provision for automatic renewal for a second five years. The competitive process requires a significant level of time and effort for the applicants, refuge staff, and agency staff. Adequate refuge personnel and base operational funds are available to manage guided big-game hunting activities at existing and projected levels.

Refuge staff participation includes the following. During the initial competitive process, the refuge manager spends approximately one month writing and/or reviewing the prospectus, conducting guide interviews and making a selection, writing decision documents, and potentially dealing with appeals that may result in litigation. The deputy refuge manager assists the refuge manager throughout the decision process. After initial selection, the refuge manager may spend about 10 days per year on oversight, permit compliance, and other guiding issues. The deputy refuge manager may spend one week issuing or renewing permits, administering use-day fee collections, monitoring permit compliance, and conducting related activities. Non-refuge staff (e.g., law enforcement officers from other refuges or the zone officer for northern refuges) may be required to spend an average of one week per year monitoring permit and hunting regulation compliance. In summary, administrative staff time primarily involves reviewing applications, researching and writing decisions, responding to appeals and conducting regional office briefings if appeals occur, issuing and renewing special use permits every five years, ensuring licenses and certificates are current; collecting client use-day fees, and reporting data on an annual basis. Field work associated with administering the program primarily involves patrolling during hunting seasons and monitoring permittees' compliance with permit conditions. Estimated costs to administer commercial guided hunting on Innoko Refuge are over \$20,000 in a year during which the permit is open to competition, and about \$15,000 per year for the intervening years. An administrative fee of \$100 is assessed when each permit is issued. In addition, client use-day fees are assessed for each day a guide has a client on the refuge. Fees collected are returned to the refuge to administer the program.

Anticipated Impacts of the Use:

Criteria in the competitive scoring and selection process used to select big game guide permittees attempt to address minimizing impacts to refuge resources and to other visitors. These criteria include impacts on wildlife resources; other refuge resources such as water quality, soil, vegetation; and other refuge users,

especially subsistence users. The criteria address such factors as target species, number of clients, transportation modes, amount of aircraft use, fuel storage, garbage and human waste management, methods to protect wildlife and habitat, type and location of lodging, and location of access points. These selection criteria are used to rank or score applicants and provide a strong incentive to maintain a low-impact guide service. Permit conditions and stipulations noted in the following sections also contribute to minimizing potential impacts.

Commercial big game hunting is also regulated by the State, and new draft regulations (AS 08.54 and 12 AAC 75) are under review by the Big Game Commercial Services Board. Commercial big game guiding operations may, in some cases, result in some competition or interference with subsistence users and/or other non-guided recreational hunters for the limited number of game animals in river corridors. Refuge staff members are aware of these potential conflicts and monitor use levels each hunting season. Should allocation conflicts arise, the Service will work to address them through the Federal Subsistence Board and Alaska Board of Game. These boards establish regulations aimed at managing populations of animals at sustainable levels and avoiding conflicts among user groups.

Impacts to refuge habitats would be minimal and transitory. Access to the refuge during summer months would be primarily by landing float-equipped aircraft on lakes and rivers, or by motor boat, or by floating into the refuge. Landings on vegetated lowland tundra and disturbance to vegetation would be limited under the stipulations of the special use permit. The introduction of invasive species carried on boats and aircraft floats could affect refuge resources. Invasive species are not known to have been introduced by this method within Innoko Refuge to date. Refuge staff will be vigilant to prevent such occurrences. In addition, frequent motorboat or aircraft traffic could affect nesting, molting, or staging birds (Bouffard 1982, Miller 1994, Ward et al. 1994). Winter access could be by dog sled, cross-country skis, snowmobile or aircraft fitted with skis. Disturbance to vegetation would be limited by conditions within the special use permit. Temporary displacement and/or disturbance to wildlife can occur in response to low level overflights and during takeoffs and approaches to landings (Calef et al. 1976), but impacts would likely be short term and minimal.

Compliance with regulations and permit conditions will be routinely checked by officers. Refuge officers and State wildlife protection officers would routinely patrol the refuge during hunting seasons. The use of cabins in association with commercial guiding would be authorized in accordance with 50 CFR 36.33.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge’s Comprehensive Conservation Plan. The State of Alaska requested that we note that future allocations would utilize the more recent processes described in the Service Manual. The process we use for selecting commercial big game hunting guide services follows our Alaska-specific regulations in 50 CFR 36.41. We did not change the “Description of Use” section of the compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for commercially guided recreational hunting services. The permit includes details of the specific operation. In the following section are typical special user permit conditions, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis.

Continued law enforcement and administrative monitoring of permittees will be carried out to ensure compliance with the terms of the permit and special conditions to minimize impacts on refuge lands and resources.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- 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.
- The permittee may not sublet any part of the authorized use area and is prohibited from subcontracting clients with any other guide. The permittee must also be personally present with each client in the refuge designated use area at least once during each contracted hunt.
- Any problems 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 must be salvaged in accordance with State regulations.
- The permittee and permittee's clients do not have the exclusive use of the site(s) or lands covered by this permit, except for the authorized camp facilities.
- 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.).
- 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.
- Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with (1) proof of comprehensive general liability insurance (\$300,000 each occurrence, \$500,000 aggregate) 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 and/or proposed operations plan.
- The permittee is responsible for accurate recordkeeping 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.
- 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.

- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction or clearing of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground level.
- All aircraft being used in commercial operations must have 12-inch identification numbers in contrasting colors, which are readily visible.
- Motorboat operators must possess a U.S. Coast Guard (USCG) license for all passenger-carrying operations if required by USCG regulations.
- Construction of cabins or other permanent structures is prohibited.
- The permittee's operation 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/her designee.
- Any action by a permittee or the permittee's employees that 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 to restrict use by other aircraft or persons.

Refuge-Specific Special Conditions

- Base camp locations must be approved by the refuge manager. Base camps will be located on durable surfaces or relocated at intervals adequate to prevent site impacts.
- All temporary accommodations will be constructed of materials that blend with the immediate surroundings. Campsites, shelters, and equipment will be used and maintained in a manner consistent with the protection of area resources, including wilderness character.
- Provisions for human waste management and disposal must be approved by the refuge manager.
- Equipment caches may be located in approved areas. Contact the refuge manager for approval. The cache will be clearly marked with the permittee's name, will be designed to blend in with the surrounding environment, and will be bear-proof.
- Use of gasoline or similar fuel for heating and cooking is encouraged. However, driftwood, standing dead trees, and brush may be used for firewood; but standing vegetation may not be cut within 200 feet of streams or lake shores.
- All garbage and trash will be secured in a manner that minimizes attraction to wildlife and must be removed from the field before vacating the site for the season.
- Fuel storage sites must be approved by the refuge manager. Preparations to prevent and respond to a fuel spill must be fully adequate at all sites for the amount of fuel stored on site. All containers must be properly stored and marked with the permittee's name, address, and type of fuel.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters; and damage to cabins, trails, traditional campsites, or caches used by subsistence users.
- The permittee shall ensure that all employees and clients seek to minimize the effect of their activities on the wilderness character of the land, wildlife, and the unique experience available there.

Justification:

Recreational hunting has been found to be compatible with the purposes of Innoko Refuge and with the National Wildlife Refuge System Mission. Commercial big-game guiding and outfitting services are a form of traditional Alaskan activity that Congress intended to preserve with enactment of the Alaska National Interest Lands Conservation Act, which designated Innoko Refuge. These services support hunting and other activities, including wildlife observation and photography; these are three of the priority public uses of national wildlife refuges. Most non-Alaska residents would not be able to hunt on Innoko Refuge if guiding were not allowed.

Requirements placed on commercial hunting guides by the Service through the original selection process, the terms of their special use permits, and regulations of the State of Alaska ensure that these commercial operators provide safe, high-quality experiences for their clients. These operations can help the refuge achieve its purposes of protecting fish and wildlife resources of the refuge and meeting legal requirements to provide

Appendix F: Compatibility Determinations

compatible opportunities for the public to use and enjoy these resources. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of Use” section of this document, it is my determination that commercially guided recreational big game hunting activities on the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Bouffard, S. 1982. Wildlife values versus human recreation: Ruby Lake National Wildlife Refuge. *Transactions of the North American Wildlife and Natural Resources Conference* 47:553-558.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Miller, M. W. 1994. Route selection to minimize helicopter disturbance of molting Pacific black brant: a simulation. *Arctic* 47: 341–349.

U.S. Fish and Wildlife Service. 1987 Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. *Wildl. Soc. Bull.* 22: 220–228.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-year Re-evaluation Date (for allowed uses only): 2018

NEPA compliance for Refuge Use Decision:

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

Compatibility Determination

Use: Commercial Recreational Fishing Guide Services

Primary Use: Fishing (guiding and outfitting.)

Supporting Uses: Fixed-wing aircraft landings, boating (motorized and non-motorized), snowmobiling, environmental education and interpretation (not conducted by refuge staff or authorized agents), hunting, firewood cutting, natural resource gathering, camping, picnicking, hiking and backpacking, snowshoeing, pets, swimming and beach use, wildlife photography and videography, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 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 description of use includes a re-evaluation of the compatibility of use of Federal lands within Innoko Refuge for commercially guided recreational fishing. The original compatibility determination for commercially guided recreational fishing was made in 1992, subject to reasonable regulation and special conditions provided with a special use permit. This compatibility determination addresses the full spectrum of uses associated with commercially guided recreational fishing. This includes all means of access, lodging and facilities, and other elements identified in the guides' operations plans. The compatibility of recreational fishing on Innoko Refuge is evaluated in a separate compatibility determination. Commercial fishing guides could target three species of Pacific salmon, plus northern Pike, and Whitefish that occur within Innoko Refuge. Commercially guided recreational fishing and related services could contribute to the fulfillment of refuge purposes and the National Wildlife Refuge System Mission by facilitating priority public use and management of healthy fish populations through managed fishing. Historically, there have been two commercial fishing guides operating on Innoko Refuge. Guided fishing also has taken place ancillary to guided hunting and commercially guided wildlife observation tours, and it is anticipated that this use may increase in the future.

Means of authorized access for commercially guided fishing could include fixed-wing airplanes, motorboats, non-motorized boats, and hiking. Guided recreational fishing occurs spring through fall. Recreational fishing is managed under State of Alaska fishing regulations. Of the major rivers on the refuge, all could be classified as having good recreational fishing opportunities, based on reasonable accessibility by float plane or boat, and sustainable populations of anadromous and/or resident fish. Although all these drainages provide opportunities for day use and overnight primitive camping, cost of traveling to these areas for day-use fishing is prohibitive for most visitors. All drainages provide opportunities for northern pike fishing; however, only the Yukon and mainstem Innoko rivers could support guided salmon fishing.

Recreational fishing guides under permit from the refuge may operate from a temporary camp on a river or lake or from a floating base. Each guide would submit a year-end report to the refuge identifying the number of clients guided, the location(s) of fishing activities, and the number of fish caught by species.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage commercially guided recreational fishing activities at current and projected levels. Administrative staff time primarily involves issuing permits, ensuring that licenses and certifications are current, collecting client use-day fees, and recording activity data. Fieldwork associated with administering the program primarily involves monitoring permittees' compliance with the terms of the permits and conducting resource law enforcement patrols. Estimated staff time to annually administer and monitor these permits is three weeks. An administrative fee of \$100 is assessed when each permit is issued. In addition, a client use fee is assessed for each day a guide has a client on the refuge. Fees collected are returned to the refuge to manage the program.

Anticipated Impacts of the Use:

Both the Federal Subsistence Board and State Board of Fisheries regularly adopt regulations in response to fish population levels and to address issues of fishery allocation. Providing an opportunity for continued subsistence uses of fishery resources by local residents receives the highest priority from the Federal Subsistence Board. Although salmon experienced a worrisome decline in the late 1990s, recent run strengths indicate that a small recreational fishery would be sustainable. The Refuge's Fisheries Management Plan (USFWS 1993) warned that fish populations within the refuge could decline without

sufficient data to measure population trends. Based on guidance provided in the Fisheries Management Plan, the refuge continues to work with the Fairbanks Fish and Wildlife Field Office to implement inventories and studies in the plan and to conduct other research aimed at understanding fish populations on Innoko Refuge. Guided recreational harvests are monitored closely to protect fish, which are an extremely important subsistence resource to people living near the refuge.

Impacts to refuge habitats would be minimal and transitory because access to the refuge would be primarily by landing float-equipped aircraft on lakes and rivers, or by operating boats on the same rivers. Landings on vegetated lowland tundra and disturbance to vegetation would be limited under the stipulations of the special use permit. The introduction of invasive species carried on aircraft floats and boat hulls could affect refuge resources, although it is not known to have occurred via this transmission method within Innoko Refuge to date, and staff will be vigilant to prevent such occurrences. In addition, frequent aircraft traffic could affect nesting, molting, or staging birds (Ward et al. 1994). Winter access would be by aircraft fitted with skis. Disturbance to vegetation would be limited by conditions within the special use permit. Temporary displacement and/or disturbance to wildlife can occur in response to low level overflights and during takeoffs and approaches to landings (Calef et al. 1976), but impacts would likely be short term and minimal.

Compliance with regulations and permit conditions will be routinely checked by officers. Refuge officers and State wildlife protection officers would routinely patrol the refuge during use seasons. The use of cabins in association with commercial guiding would be authorized in accordance with 50 CFR 36.33.

Public Review and Comment:

Public comment was solicited concurrently with revision of the refuge's Comprehensive Conservation Plan. There were no comments on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for commercially guided recreational fishing services. In the following section are typical special user permit conditions, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Continued law enforcement and administrative monitoring of permittees will be carried out to ensure compliance with the terms of the permit and special conditions to minimize impacts on refuge lands and resources.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.

- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and animals taken must be salvaged in accordance with State regulations.
- This permit may be canceled or revised at any time by the refuge manager for noncompliance or in case of emergency (e.g., public safety, unusual resource problems).
- This permit does not grant the permittee and his/her client's exclusive use of the site(s) or lands covered by the permit.
- 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.).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with (1) the name and method of contact for the field party chief and/or supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistant guides and helpers; and (4) any changes to information provided in the original permit application.
- The permittee shall maintain, throughout the use period specified on the permit, Comprehensive General Liability Insurance (\$300,000 each occurrence; \$500,000 annual aggregate) covering all ground or water based operations and (unless air transportation is already covered) aviation passenger liability (\$150,000 per seat plus \$100,000 on property) covering all aircraft operations involving clients.
- The permittee shall provide the refuge manager with a report of the number and species of all fish taken, locations, numbers of clients, and number of client use days per trip. This report is due within 30 days of permit expiration unless stated otherwise in the permit.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.

- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his/her designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.
- Construction of cabins or other permanent structures is prohibited.
- All aircraft being used in commercial operations must have 12-inch identification numbers in contrasting colors, which are readily visible.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity which is contrary to State and Federal laws.

Refuge-Specific Special Conditions

- All garbage and noncombustible debris will be removed from the refuge. Food, garbage, and/or other materials will be stored so as not to attract bears and other wildlife.
- Motorboat operators must possess U.S. Coast Guard (USCG) licenses for all passenger-carrying operations if required by USCG regulations.
- The permittee may not sublet any part of the authorized use and is prohibited from subcontracting clients with any other guide.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters, and damage to cabins, trails, traditional campsites, or caches used by subsistence users. To minimize the potential for conflicts with subsistence users, the permittee must review the Innoko National Wildlife Refuge land status maps to ascertain the location of selected and conveyed lands within refuge boundaries.

- Provisions for human waste management and disposal must be approved by the refuge manager.
- A valid copy of the issued special use permit, signed by the refuge manager or designee, must be in the party leader's possession at all times while exercising the privileges of the permit.

Justification:

Commercially guided fishing services are a form of traditional activity that Congress intended to preserve with enactment of the Alaska National Interest Lands Conservation Act, which designated the refuge. Guides support angling and other activities, including wildlife observation and photography, all of which the National Wildlife Refuge System Administration Act of 1966 (as amended by the Refuge Improvement Act of 1997) identifies as priority public uses. Guided recreational fishing operations on the refuge would provide the public with quality, safe, and unique recreational fishing opportunities found few places in the world. These visitor services are a valuable benefit to a segment of the public that is not physically able to, not comfortable with, or chooses not to participate in unguided fishing trips within the refuge.

Recreational fishing has been found compatible with refuge purposes and is one of the priority public uses of national wildlife refuges. Guides help facilitate public participation in this activity. After fully considering the impacts of this activity, as described previously in the "Anticipated Impacts of Use" section of this document, it is my determination that commercially guided recreational fishing services within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Bouffard, S. 1982. Wildlife values versus human recreation: Ruby Lake National Wildlife Refuge. *Transactions of the North American Wildlife and Natural Resources Conference* 47:553-558.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Innoko Comprehensive Conservation Plan 1987, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service, Anchorage, AK.

Innoko National Wildlife Refuge, Fisheries Management Plan 1993, U.S. Fish and Wildlife Service, Fairbanks, AK,

Miller, M. W. 1994. Route selection to minimize helicopter disturbance of molting Pacific black brant: a simulation. *Arctic* 47: 341–349.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. *Wildl. Soc. Bull.* 22: 220–228.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-Year Re-evaluation Date (for allowed uses only): 2018

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: Commercial Recreational Guide Services

Primary Use: Environmental education and interpretation (not conducted by Refuge staff or authorized agents), wildlife photography and videography, and wildlife observation.

Supporting Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, snowmobiling, dog sledding, cross-country skiing, skijoring, camping, picnicking, hiking and backpacking, wildlife photography and videography, snowshoeing, wildlife observation, natural resource gathering, pets, firewood cutting, swimming and beach use.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

(i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;

(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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 description of use includes a re-evaluation of the compatibility of use of Federal lands within Innoko Refuge for all types of guided recreation (except hunting and fishing). The original compatibility determination for guided recreation was made in 1992, subject to reasonable regulation and special conditions provided with a special use permit. Historic activity in this use has been minimal. Since 1980, a limited number permits have been issued for commercial recreation guiding businesses, although in any typical year one permit was issued, and there were many years in which no permits were issued. It has been many years since the last commercially guided recreation tour services have operated on Innoko Refuge; however, it is anticipated that this use could occur again in the future

Commercially guided recreation tours are an activity that supports wildlife-dependent priority public uses. The objective of guided tour services in national wildlife refuges is to make available a variety of quality opportunities for the public to enjoy outdoor activities where such activities are compatible with the refuge's purposes, resources, and management objectives. Furthermore, the congressional committee report on the National Wildlife Refuge System Improvement Act of 1997 states: "It establishes as the policy of the United States that wildlife-dependent recreation, when it is compatible, is a legitimate and appropriate public use of the Refuge System, through which the American public can develop an appreciation for fish and wildlife."

Recreational guides provide a service that visitors often require to access the refuge and gain an appreciation for its resources. In the past, guided recreational activities on Innoko Refuge have been conducted in summer as river float trips and during winter using dog sleds and snowmobiles. Guided recreational services considered here include activities occurring throughout the year. Guided recreational tour providers are required, as a condition of their permits, to provide information on the primary activity, location, length of stay, group size, and other related items. These reports can provide the most accurate and reliable information the Service has on refuge use by visitors. Guided recreational activities contribute to fulfillment of the National Wildlife Refuge System mission by providing access for non-local refuge visitors and therefore facilitate priority public uses and other uses found compatible in separate compatibility determinations.

Availability of Resources:

Adequate refuge personnel and base operational funds are available to manage commercial guided recreational activities at existing and projected levels.

Administrative staff time primarily involves issuing permits, ensuring that licenses and certifications are current, collecting client use-day fees, and recording activity data. Fieldwork associated with administering the program primarily involves monitoring permittees' compliance with the terms of the permits. Estimated staff time to annually administer and monitor these permits is one week.

Anticipated Impacts of the Use:

Impacts associated with guided tours on Innoko Refuge are addressed in the respective compatibility determinations for each activity. We anticipate minimal impacts to fish and wildlife resources, other refuge resources, or other refuge users. The refuge's administrative oversight of the activity and comprehensive State and Federal regulations continually evolve to respond to wildlife management needs. Law enforcement efforts of the State and refuge personnel will also help minimize direct impacts from tour guiding services.

Impacts to refuge habitats would be minimal and transitory because access to the refuge would be primarily by landing float-equipped aircraft on lakes and rivers, or by operating boats on the same rivers.

Landings on vegetated lowland tundra and disturbance to vegetation would be limited under the stipulations of the special use permit. The introduction of invasive species carried on aircraft floats and boat hulls could affect refuge resources, although it is not known to have occurred via this transmission method within Innoko Refuge to date, and staff will be vigilant to prevent such occurrences. In addition, frequent aircraft traffic could affect nesting, molting, or staging birds (Ward et al. 1994). Winter access would be by aircraft fitted with skis. Disturbance to vegetation would be limited by conditions within the special use permit. Temporary displacement and/or disturbance to wildlife can occur in response to low level overflights and during takeoffs and approaches to landings (Calef et al. 1976), but impacts would likely be short term and minimal.

Compliance with regulations and permit conditions will be routinely checked by officers. Refuge officers and State wildlife protection officers would routinely patrol the refuge during use seasons. The use of cabins in association with commercial guiding would be authorized in accordance with 50 CFR 36.33.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge’s Comprehensive Conservation Plan. There were no comments on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for guided recreational activities. In the following section are typical special user permit conditions, some of which are necessary for compatibility. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Continued law enforcement and administrative monitoring of permittees will be carried out to ensure compliance with the terms of the permit and special conditions to minimize impacts on refuge lands and resources.

Regional Standard Special Conditions

- Failure to abide by any part of this special use permit; violation of any refuge related provision in titles 43 (part 36) or 50 (subchapters B and C) of the 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 50 Code of Federal Regulations 36.41.
- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager and the Alaska Department of Fish and Game, and animals taken must be salvaged in accordance with State regulations.

- This permit may be canceled or revised at any time by the refuge manager for noncompliance.
- This permit does not grant the permittee and his/her client's exclusive use of the site(s) or lands covered by the permit.
- 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.).
- The permittee or his/her designee shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completing activities allowed by this permit.
- Prior to beginning activities allowed by this permit, the permittee shall provide the refuge manager with (1) the name and method of contact for the field party chief and/or supervisor; (2) the aircraft or other vehicle types to be used, including identification information; (3) names of assistant guides and helpers; and (4) any changes to information provided in the original permit application.
- The permittee shall maintain, throughout the use period specified on the permit, comprehensive general liability Insurance (\$300,000 each occurrence; \$500,000 annual aggregate) covering all ground or water based operations and (unless air transportation is already covered) aviation passenger liability (\$150,000/seat plus \$100,000 property) covering all aircraft operations involving clients.
- The permittee shall provide the refuge manager with a report of activities under this permit, including pick up and drop off locations, numbers of clients, and number of client use days per trip. This report is due within 30 days of permit expiration unless stated otherwise in the permit.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams to avoid contamination of water resources. All property (except cabins and/or tent frames) of the permittee must be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground.
- Fuel caches are allowed only in designated areas and must be approved by the refuge manager or his designate prior to caches being established. If caches are established, fuel containers must be clearly marked with the permittee's name, address, local contact telephone number, and type of fuel.

- Construction of cabins or other permanent structures is prohibited.
- All aircraft being used in commercial operations must have 12-inch identification numbers in contrasting colors, which are readily visible.
- This permit authorizes use on State selected lands. If any of these lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands until and unless permission is obtained from the Alaska Department of Natural Resources.
- This permit authorizes use only on the Native selected lands specifically identified in the description block of this permit. If any of these Native selected lands are conveyed during the term of this permit, the permittee will no longer be authorized to use those lands unless permission is obtained from the Native corporation to which land ownership has been conveyed.
- Any action by a permittee or the permittee's employees that 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 1) intentional low flights over camps or persons at less than 500 feet, except when necessary for takeoff and landing; 2) parking aircraft or placing other objects (rocks, tents, etc.) on any landable area so as to restrict use by other aircraft; 3) otherwise intentionally interfering in the activity of other refuge users; and 4) engaging in activity which is contrary to State and Federal laws.

Refuge-Specific Special Conditions

- All garbage and non-combustible debris will be removed from the refuge. Food, garbage, and other materials will be stored so as not to attract bears and other wildlife.
- Motorboat operators must possess U.S. Coast Guard (USCG) licenses for all passenger-carrying operations if required by USCG regulations.
- The permittee may not sublet any part of the authorized use and is prohibited from subcontracting clients with any other guide.
- The permittee will take no action that interferes with subsistence activities of rural users or restricts the reasonable access of subsistence users to refuge lands. This may include but is not limited to disturbance of wildlife and their movements near subsistence hunters; and damage to cabins, trails, traditional campsites or caches used by subsistence users. To minimize the potential for conflicts with subsistence users, the permittee must review the Innoko National Wildlife Refuge land status maps to ascertain the location of selected and conveyed lands within refuge boundaries.
- Provisions for human waste management and disposal must be approved by the refuge manager.
- A valid copy of the issued special use permit, signed by the refuge manager or designee, must be in the party leader's possession at all times while exercising the privileges of the permit.

Justification:

Commercially guided recreational activities have been found to be compatible with the purposes of Innoko Refuge and with the National Wildlife Refuge System Mission. Commercial recreational guiding services provide the public with safe access to unique wildlife observation, wildlife photography, and environmental education opportunities found few places elsewhere in the world. These are all activities that the National Wildlife Refuge System Administration Act (as amended) identifies as priority public uses. These visitor services are a valuable benefit to a segment of the public that does not have other means of access to the extremely remote environment of the refuge.

Through required client use reports, guided recreational activities can provide an important source of information about use of the refuge. After fully considering the impacts of this activity, as described previously in the “Anticipated Impacts of Use” section of this document, it is my determination that guided recreational activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

Bouffard, S. 1982. Wildlife values versus human recreation: Ruby Lake National Wildlife Refuge. *Transactions of the North American Wildlife and Natural Resources Conference* 47:553-558.

Calef, G.W., E.A. DeBock, and G.M. Lortie. 1976. The reaction of barren-ground caribou to aircraft. *Arctic* 29(4):201-212.

Miller, M. W. 1994. Route selection to minimize helicopter disturbance of molting Pacific black brant: a simulation. *Arctic* 47: 341–349.

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Ward, D. H., R. A. Stehn, D. V. Derksen. 1994. Response of staging brant to disturbance at the Izembek Lagoon, Alaska. *Wildl. Soc. Bull.* 22: 220–228.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-year Re-evaluation Date (for allowed uses only): 2018

NEPA compliance for Refuge Use Decision:

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

Compatibility Determination

Use: State of Alaska Management Activities

Primary Use: Uses (other) - State of Alaska management activities.

Supporting Uses: Boating (motorized and non-motorized), fixed-wing aircraft landings, helicopter landings, snowmobiling, environmental education and interpretation (not conducted by refuge staff or authorized agents), firewood cutting, fishing, natural resource gathering, camping, picnicking, cross-country skiing, hiking and backpacking, wildlife photography, videography, audio recording, snorkeling and scuba diving, snowshoeing, swimming and beach use, research, scientific collecting, surveys, wildlife observation.

Refuge Name: Innoko National Wildlife Refuge

Establishment and Acquisition Authority:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

ANILCA sets out the primary purposes for each refuge in Alaska. The purposes of the Innoko National Wildlife Refuge are described in section 302 (4) (B) of ANILCA and are as follows:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose, furbearers, and other mammals and salmon;
- (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.

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 routine management activities conducted by the Alaska Department of Fish and Game and the Alaska Division of Wildlife Troopers that are not cooperative projects with the Service. These projects may not be encompassed by the Master Memorandum of Understanding between the Alaska Department of Fish and Game, Juneau, Alaska, and the U.S. Fish and Wildlife Service, Department of the Interior, Anchorage, Alaska, signed March 13, 1982, and/or may not be law enforcement activities conducted by Alaska Division of Wildlife Troopers. This includes the following activities: fish and wildlife surveys conducted by boat, foot, or other means not restricted by regulation or policy; aircraft landings in support of aerial fish and wildlife surveys; vegetation and habitat classification and surveys; and law enforcement activities.

This compatibility determination does not address predator management, fish and wildlife control (with the exception of animals taken in defense of life or property), reintroduction of species, native fish introductions, non-native species introductions, non-native species management, pest management, disease prevention and control, fishery restoration, fishery enhancement, construction of facilities, or any other unpermitted activity that could alter ecosystems within the refuge. Separate compatibility determinations addressing specific proposals will be required for those activities. Management and research activities conducted by the Alaska Department of Fish and Game 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 are not subject to a compatibility determination.

Potential means of access include fixed-wing aircraft, motorboats, snowmobiles, non-motorized boats, foot, snowshoes, and cross-country skis. Helicopter access is addressed in a separate compatibility determination. 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 per year) primarily involves phone conversations, written correspondence, 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 remain compatible.

Anticipated Impacts of the Use:

Because Alaska Department of Fish and Game personnel and Alaska Division of Wildlife Troopers personnel are trained professionals, the Service anticipates that routine law enforcement and fish and wildlife monitoring and management activities would have positive overall impacts on wildlife resources, other resources within the refuge (such as water quality, soil, and vegetation), and visitors. These positive impacts would support refuge purposes and goals and the Service mission.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge’s Comprehensive Conservation Plan. There were no comments on this compatibility determination.

Refuge Determination (check one below):

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A compatibility determination is not required for State activities on lands within the refuge where a pre-established agreement or memorandum of understanding is in place. Refuge staff will monitor State activities within the refuge. Findings from these monitoring efforts will be used to determine what additional management actions, if any, would be needed to ensure State activities remain compatible with refuge purposes and in compliance with established agreements.

Justification:

The State of Alaska and the Service are partners in the management of many resources on Innoko Refuge. Natural and social science information is necessary for the proper management of the National Wildlife Refuge System. It is the policy of the Service to encourage and support research and management studies to provide scientific data upon which decisions regarding management of units of the Refuge System may be based. State research, management, and law enforcement activities support achieving refuge purposes and goals, and the System mission and would have favorable affects on resources within the refuge and wildlife-dependent priority public uses. After fully considering the impacts of these activities, as described previously in the "Anticipated Impacts of Use" section of this document, it is my determination that State of Alaska management activities within the refuge do not materially interfere with or detract from the purposes of the refuge or mission of the National Wildlife Refuge System.

Supporting Documents:

U.S. Fish and Wildlife Service. 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service. Anchorage, AK.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife

Refuge System: /s/ Todd J. Logan December 19, 2008
(Signature) (Date)

Mandatory 10-Year Re-evaluation Date: 2018**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: Reburial of Archaeological Human Remains per State and Federal Guidelines

Primary Use: Use (other) - Reburial of archaeological human remains.

Supporting and Incidental Uses: Boating (human-powered), boating (motorized), camping, hiking and backpacking, photography, video, filming, audio recording (non wildlife-dependent, recreational—other), fixed-wing aircraft, indigenous cemetery.

Refuge Name: Innoko National Wildlife Refuge

Establishing and Acquisition Authorities:

The Alaska National Interest Lands Conservation Act (ANILCA) established the 3.82 million acre Innoko National Wildlife Refuge (Innoko Refuge) as part of the U. S. Fish and Wildlife Service National Wildlife Refuge System (Department of the Interior) in 1980.

Innoko Refuge Purposes:

Section 302(4) (B) of ANILCA sets forth the following major purposes for which Innoko Refuge was established and shall be managed:

- (i) to conserve fish and wildlife populations and habitats in their natural diversity, including, but not limited to, waterfowl, peregrine falcons, other migratory birds, black bear, moose furbearers, and other mammals and salmon;
- (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 purposes set forth in subparagraphs (i) and (ii), the opportunity for continued subsistence uses by local residents; and
- (iv) to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth in subparagraph (i), water quality and necessary water quantity within the refuge.”

[Innoko Wilderness] to secure an enduring resource of wilderness, to protect and preserve the wilderness character of the area as part of the National Wilderness Preservation System, and to administer the area for the use and enjoyment of the American people in a way that will leave it unimpaired for future use and enjoyment as wilderness.

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 refuge anticipates requests to rebury human remains eroding from recorded and unrecorded prehistoric sites and remains that have been removed from prehistoric sites. The inadvertent discovery section of the Native American Graves Protection and Repatriation Act of 1990 (Public Law 101-601)

requires that the land management agency identify and notify the closest Native group and then, if requested, provide for the repatriation of the remains. With this in mind, the refuge has prepared this compatibility determination to cover an expected several burial requests over the next 10 years. Each proposed burial and its proposed reburial location would need to be approved by the regional historic preservation officer, who will ensure compliance with the National Historic Preservation Act section 106 prior to issuance of a permit for this activity.

Reburial of repatriated human remains would take place near the place of discovery of such remains or near their original burial place. Each burial would involve a small excavation with hand tools. Impacts to Refuge resources would be negligible and short term, with no foreseeable long-term effects and would not affect subsistence use of the refuge. A copy of the global positioning system (GPS) coordinates and contents of the burial site will be filed at refuge headquarters and with the regional historic preservation officer. The remains should be buried with a modern object (e.g., coin, button, with date) to indicate it is a historical reburial.

Availability of Resources:

Except for issuance of the permit, no refuge resources would be needed to administer use. All activities associated with use would be accomplished by the permittee.

Anticipated Impacts of the Use:

Reburials would result in minimal and short-term impacts to refuge resources, involving a few small-scale excavations with hand tools and then interment of the remains.

Public Review and Comment:

Public comment was solicited concurrently with the revision of the refuge's comprehensive conservation plan. The State of Alaska commented that we had not indicated this compatibility determination was available for public review in this section of the draft. They were correct. The State objected to the regional special use permit condition that prohibits helicopter use when helicopter use can be allowed by permit under regulation. We chose to not allow helicopter use for this activity, as we do not believe it is necessary. No change was made to this compatibility determination.

Refuge Determination (check one below):

Use is Not Compatible
 Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

A special use permit with stipulations is required for reburial of archaeological human remains. Site-specific special use conditions related to maintenance of defensible space will be incorporated into permits on a case-by-case basis. Following are typical special use permit stipulations, some of which are necessary for compatibility. Note that the following special conditions for a special use permit for "Reburial of Archaeological Human Remains per State and Federal Guidelines" may be updated to reflect changes, if any, due to step-down plans completed in the future.

Regional conditions

- Failure to abide by any part of this special use permit; violation of any refuge-related provision in titles 43 or 50 of the Code of Federal Regulations; or violation of any pertinent State regulation (e.g., fish or game violation) will 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 or contractors). Appeals of decisions relative to permits are handled in accordance with 50 Code of Federal Regulations 36.41.

- The permittee is responsible for ensuring that all employees, party members, contractors, 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.
- Any problems with wildlife and/or animals taken in defense of life or property must be reported immediately to the refuge manager, the Alaska Department of Fish and Game, and the Alaska State Troopers. Animals taken must be salvaged in accordance with State regulations.
- The permittee and permittee's employees do not have the exclusive use of the site(s) or lands covered by the permit.
- This permit may be cancelled or revised at any time by the refuge manager for noncompliance or in case of emergency (e.g., public safety, unusual resource problems).
- The permittee or party chief shall notify the refuge manager during refuge working hours in person or by telephone before beginning and upon completion of activities allowed by this permit.
- Prior to beginning any activities allowed by this permit, the permittee shall provide the refuge manager with (1) name and method of contact for the field party chief and/or supervisor; aircraft and other vehicle types to be used, including identification information for these vehicles; and names of crew members; and (2) any changes in information provided in the original permit application.
- In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the disturbance of archaeological or historical sites, and the removal of artifacts are prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
- Permittees shall maintain their use areas in a neat and sanitary condition. Latrines must be located at least 150 feet from springs, lakes, and streams. All property of the permittee except for cabins and tent frames is to be removed from refuge lands upon completion of permitted activities.
- The construction of landing strips or pads is prohibited. Incidental hand removal of rocks and other minor obstructions may be permitted.
- The use of off-road vehicles (except snowmobiles with adequate snow cover) is prohibited unless specifically authorized in writing in this permit.
- 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 takeoff and landing, maintain a minimum altitude of 2,000 feet above ground level.
- The use of helicopters is prohibited.
- Unauthorized fuel caches are prohibited. Fuel storage, if any, will be in compliance with regional Service fuel storage policy.

Refuge Conditions

- Visitors will be required to comply with any temporary restrictions, emergency orders, or other types of regulatory actions promulgated by the refuge manager to prevent resource problems or conflicts or in cases of emergency (public safety, unusual resource problems, etc.).
- The use of Native or State lands that have been conveyed (patented) is not authorized by this permit.
- Use of Native or State lands that have been selected but not yet conveyed is prohibited unless a letter of concurrence from the State, village or Native corporation is submitted to the refuge manager prior to beginning any activities allowed by this permit.
- A copy of this special use permit must be in the party leader's possession at all times while exercising the privileges of the permit.
- Cabins on refuge lands shall not be used by the permittee without the permission of the refuge manager except in cases of dire emergency for survival purposes.
- Food or garbage attractive to bears or other wildlife will be immediately disposed of. No attractive nuisance for bears or other wildlife shall be created by food storage, improper disposal of garbage (includes of burying of garbage), fish smoking, salting, drying, or other uses.
- Combustibles (paper, wood, etc.) may be burned, but all other debris, including cans, bottles, fuel containers, and any other noncombustible material, shall be removed and disposed of off-refuge when departing camps.
- Reburial of repatriated human remains will take place near the place of discovery of such remains and/or near the place of their original burial.
- The permittee or permittees' representatives will make the smallest possible excavation, using only hand tools.
- The Global Positioning System (GPS) coordinates and a list of the contents of the burial site will be filed at refuge headquarters and with the Regional Historic Preservation Officer within 30 days of burial.
- Remains shall be buried with a modern object (e.g., coin, button, etc.—with date) to indicate that it is a historical reburial.
- The discharge of firearms is prohibited except in conjunction with authorized hunting seasons or for protection of life or property.

Justification:

The proposed use is limited and short term and thus will result in minimal impact to refuge resources. This use is necessary for the refuge to comply with the Native American Graves Protection and Repatriation Act of 1990. It will not interfere with nor detract from the National Wildlife Refuge System mission or the purposes of the refuge.

Supporting Documents:

U.S. Fish and Wildlife Service (USFWS). 1987. Innoko National Wildlife Refuge Final Comprehensive Conservation Plan, Wilderness Review, and Environmental Impact Statement. U.S. Fish and Wildlife Service, Anchorage, AK.

U.S. Fish and Wildlife Service, 1994. Native American Policy. U.S. Fish and Wildlife Service National Policy Issuance #94-10 and appendix. Washington, D.C. 13 pages, available at http://policy.fws.gov/npi94_10.html.

U.S. Fish and Wildlife Service. 2008. Draft Revised Comprehensive Conservation Plan and Environmental Assessment for the Innoko National Wildlife Refuge. U.S. Fish and Wildlife Service. Anchorage, AK.

Refuge Determination:

Refuge Manager /

Project Leader Approval: /s/ Kent A. Sundseth, acting December 17, 2008
(Signature) (Date)

Concurrence:

Regional Chief,
National Wildlife
Refuge System:

/s/ Todd J. Logan December 17, 2008
(Signature) (Date)

Mandatory 10-Year Re-evaluation Date: 2018

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