

Kenai National Wildlife Refuge  
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### **COMPATIBILITY DETERMINATION**

*The National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C. 668dd-668ee) states that “The Secretary is authorized, under regulations as [s]he may prescribe, to – (A) permit the use of any area within the [National Wildlife Refuge] System for any purpose, including but not limited to hunting, fishing, public recreation and accommodations, and access wherever [s]he determines that such uses are compatible’ and that “... the Secretary shall not initiate or permit a new use of a refuge or expand, renew, or extend an existing use of a refuge, unless the Secretary has determined that the use is a compatible use and that the use is not inconsistent with public safety.” A compatible use is defined as “A proposed or existing wildlife-dependent recreational use or any other use of a national wildlife refuge that, based on sound professional judgment, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the national wildlife refuge.” The compatibility determination is to be a written determination signed and dated by the Refuge Manager and Regional Chief of the National Wildlife Refuge System, signifying that a proposed or existing use of a national wildlife refuge is a compatible use or is not a compatible use.*

*Applicable compatibility regulations in 50 CFR Parts 25, 26, and 29 were published in the Federal Register October 18, 2000 (Vol. 65, No. 202, pp 62458 – 62483).*

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**Use:** Environmental Education, Interpretation, Wildlife Observation & Photography

**Refuge:** Kenai National Wildlife Refuge

**Establishing and Acquisition Authorities:** The Refuge was first established as the Kenai National Moose Range by Executive Order 8979 on December 16, 1941. The boundaries were modified, purposes expanded, and name changed to Kenai National Wildlife Refuge under the provisions of the Alaska National Interest Lands Conservation Act (ANILCA) on December 2, 1980 (Public Law 96-487 Stat. 2371).

**Refuge Purposes:** The Executive Order purpose was primarily to “... protect the natural breeding and feeding range of the giant Kenai moose on the Kenai Peninsula, Alaska...”. ANILCA purposes for the Refuge include: “(i) to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to moose, bear, mountain goats, Dall sheep, wolves and other furbearers, salmonids and other fish, waterfowl and other migratory and nonmigratory birds; (ii) to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats; (iii) 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 with the refuge; (iv) to provide in a manner consistent with subparagraphs (i) and (ii), opportunities for scientific research, interpretation, environmental education, and land management training; and (v) to provide, in a manner compatible with these purposes, opportunities for fish and wildlife oriented recreation.” The Wilderness Act of 1964 (Public Law 88-577) purposes are to secure an enduring resource of wilderness, to protect and preserve the wilderness character of areas within the National Wilderness Preservation System,

and to administer this wilderness system for the use and enjoyment of the American people in a way that will leave them unimpaired for future use and enjoyment as wilderness.

Policy (FWS 603 2.8) directs that pre-ANILCA purposes remain in force and effect, except to the extent that they may be inconsistent with ANILCA or the Alaska Native Claims Settlement Act, and that such purposes only apply to those areas of the Refuge in existence prior to ANILCA. The Executive Order purpose to protect Kenai moose, however, is treated as complimentary to the broader ANILCA purpose of conserving fish and wildlife populations; therefore, no special attention is given the Executive Order purpose in this compatibility review process.

Sec. 4(a) of the Wilderness Act provides that the purposes of the Act are to be within and supplemental to the purposes for which national wildlife refuges are established and administered. These purposes are applied to the approximately 1.3 million acres of Congressionally designated wilderness within the Refuge. While these purposes do not apply to the remaining approximately 700,000 acres of Refuge lands that are not designated as wilderness, we must consider the effects of uses on any Refuge lands that might affect the wilderness areas.

**National Wildlife Refuge System Mission:** The National Wildlife Refuge System Mission 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.

**Description of Use:** Environmental education, interpretation, wildlife observation, and photography – along with hunting and fishing – are wildlife-dependent recreational uses and are often referred to as the “big 6”. They are the priority public uses established by Congress to be facilitated on national wildlife refuges when they can be found compatible with the refuge’s established purposes. For Kenai National Wildlife Refuge, wildlife-oriented recreational opportunities are also one of the established Refuge purposes.

With nearly 2 million acres of varied wildlife habitats, and with an estimated over 3 million people traveling through the Refuge each year, wildlife observation and photography, as well as environmental education and interpretation, are common uses. Some visitors travel specifically to the Refuge to observe and/or photograph wildlife; others may travel to the Refuge for other reasons, such as canoeing or camping with family, but wildlife viewing is a critical component of an enjoyable and successful outing. Wildlife viewing remains one of the top 5 reasons people from outside Alaska travel to the State each year (along with fishing, viewing of scenery, cultural experiences, and shopping), according to surveys done by the tourism industry. The two most common requests staff receive from visitors involve questions on wildlife viewing and fishing.

The Refuge develops special interpretive information to assist visitors in understanding the natural world that surrounds them during their visit. Such assistance comes in many forms - from interpretive panels and kiosks throughout popular areas for camping, scenic driving, and hiking - to brochures and other handouts. Interpretive outreach also occurs with meeting and greeting visitors at the Skilak Wildlife Recreation Area entrance (log cabin visitor contact station), guided nature hikes, and scheduled presentations, such as ranger talks around a campfire at the Hidden Lake Campground amphitheater.

The Refuge has a developed Outdoor Education Center located near the junction of Swan Lake and Swanson River Road available for groups to use that have an outdoor education focus. This is most popular with school groups teaching basic environmental information. The facility

includes rustic cabins for sleeping, toilets, a common cooking building, campfire area, and a trail and boardwalk to the Swanson River.

The Refuge also has an Environmental Education Center at the headquarters area near Soldotna. This facility is most used by school groups exposed to a variety of outdoor curricula, including learning about wetlands, boreal forest ecosystems, fire, predators and prey, and winter adaptations of wildlife. The center is staffed with a full time environmental education specialist that works year-round on a variety of education and outreach activities. The facility is also used for a host of other educational functions, including teaching of basic hunter safety, bow hunter safety, public outreach and informational meetings, and staff training.

While there are many scheduled formal programs for environmental education and interpretation, the bulk of the use of the Refuge for these activities likely occur from small groups, families, and individuals, striking out on their own. Some will use Refuge-provided aids in their efforts; others will use commercially available guidebooks; and others will share their own personal knowledge with fellow hikers and family members; and some will discover the many wonders of nature on their own merely through observation and experience.

**Availability of Resources:** Millions of dollars has been spent on facility development within the Kenai NWR within the past 20 years to help facilitate public use, primarily in the Skilak Wildlife Recreation Area. Campgrounds, trails, boat launches, informational kiosks, and restroom facilities all help attract visitors, and make their visit more enjoyable. These facilities require staff and funding to maintain, and currently adequate resources exist for these maintenance responsibilities. Additional resources are required for law enforcement and search and rescue when the need arises, as well as basic staffing for answering questions, issuing permits, and directing visitors to recreation, interpretative, and educational opportunities. These needs are currently being met through a dedicated full time staff, and through a host of seasonal employees and volunteers. Much of the seasonal interpretive needs are met by Student Conservation Association (SCA) volunteers whom provide a quality cost-effective alternative to hiring full-time staff.

**Anticipated Impacts of the Use:** Wildlife observation, photography, and environmental education and interpretation are largely non-consumptive wildlife-dependent recreational activities. That is, they are dependent on wildlife being around, and may result in some disturbance to animals and their habitats, but generally do not result in the direct harm to the animals. Large numbers of visitors pursuing any activity on the Refuge, however, do have some impact. Additionally, improperly pursuing certain non-consumptive wildlife-dependent recreation, such as approaching a bear too closely to get a better photograph, can have negative consequences to both the wildlife and the user. In general, most uses addressed in this compatibility determination fall within one of three categories and are generally considered to be of low impact. The first group is the formalized school group or other scheduled activity that uses established trails, campsites, or classrooms designed to minimize impacts to the surrounding area. These activities are often accompanied by Refuge staff or other trained individuals. The second group is the largely secondary users that value wildlife observation and related activities greatly, and participate in these uses regularly, but are more often visiting the Refuge for other primary purposes (i.e. camping, canoeing, hiking). These visitors visit the Refuge in part to see wildlife and signs of wildlife and to learn more about them, but would probably continue to camp or hike even if such secondary opportunities did not always arise. Impacts associated with these visitors, include such issues as littering, ground disturbance at camping areas, and increased risk of wildfire from human causes. While these impacts are real, they may be better discussed as impacts associated directly with the primary activity. The last group includes individuals that are

a small percentage of Refuge users, often specialists that are visiting the Refuge to look for a particular bird species, or engage in a specific activity such as taking photographs of loons. While impacts from this group of visitors do occur they are currently not believed to be substantial.

**Public Review and Comment:** This compatibility determination has been prepared while revising the Refuge's Comprehensive Conservation Plan and Environmental Impact Statement. Future revisions can be accomplished outside of this planning process if deemed necessary and would be completed with public notice and involvement. Legal notice of the draft compatibility determination was published in the Anchorage Daily News and the Kenai Peninsula Clarion on February 25, 2007 which initiated a 45-day public comment period. The notice was also posted on a bulletin board at the Refuge headquarters for the same time period, made available starting February 28, 2007 on a list server [fws-akrefugecompatibility@lists.fws.gov](mailto:fws-akrefugecompatibility@lists.fws.gov) to 137 addresses, and made available on the Regional Refuge Planning web site at <http://alaska.fws.gov/nwr/planning/completed.htm>.

Comments on some or all of the (15) compatibility determinations were received from: The State of Alaska, The Wilderness Society, The National Wildlife Refuge Association, Friends of Kenai National Wildlife Refuge, Alaska Trappers Association, Defenders of Wildlife, Kenai Field Office (FWS), and The Humane Society of the United States. Responders were either silent on or in support of this compatibility determination.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:** Wildlife observation, photography, and environmental education and interpretation, are in general, Refuge recreational uses that are allowed without permit or specific regulatory restriction. All commercial uses, however, require a special use permit, and stipulations necessary to protect Refuge resources and ensure compatibility will be included with each permit. Examples may include bus tours or commercial rafting tours which focus on wildlife observation and interpretive opportunities. Facilities developed by the Refuge to accommodate the general public's pursuit of these activities are designed to minimize disturbance to fish and wildlife and important habitats. General Refuge regulations are also in place to address concerns over damaging practices such as littering, cutting live trees, target practicing, etc. which sometimes cause problems by some Refuge users. Additionally, signs are placed to inform users of areas and practices to avoid, and occasionally areas may be temporarily or permanently closed to certain uses to protect Refuge resources.

While wildlife observation and photography opportunities may be found throughout most of the Refuge, the Skilak Wildlife Recreation Area has been specifically set aside and developed to provide for enhanced wildlife viewing and related educational and interpretive opportunities to help address specific Refuge purposes for these activities. Camping areas, trails, pull offs, informational kiosks, and other facilities and programs are dedicated in this road accessible area which support wildlife observation, photography, interpretation, and other uses. The area includes approximately two percent of the total Refuge, and hunting and trapping are restricted here to provide for enhanced wildlife viewing as well as public safety.

**Justification:** Wildlife observation, photography, environmental education and interpretation are primary public uses of the National Wildlife Refuge System and Congressionally established purposes of Kenai NWR. They are important historical uses of the Refuge and make up an important part of the total amount of public use currently in practice. Additionally, the uses have generally little to no significant impacts to Refuge resources and where such impacts have been identified they have been addressed through facility and program design, permit conditions, or special regulations. Mechanisms in place are also adequate to restrict or prohibit uses that have significant negative impacts to Refuge resources.

**Signature (Refuge Manager):** /s/ Robin L. West 6/13/07  
Signature and Date

**Concurrence (Regional Chief):** /s/ Todd J. Logan 8/14/07  
Signature and Date

**Mandatory 10-year Re-evaluation Date:** This compatibility determination addresses one of the priority public uses for the National Wildlife Refuge System per the National Wildlife Refuge System Administration Act of 1966, as amended. Such uses are to be re-evaluated, if authorized, at least every 15 years, or in concert to revisions to the refuge's comprehensive conservation plan. This compatibility determination must be re-evaluated within 15 years of the signing of the current plan, although it may be re-evaluated sooner should conditions of the use change, significant new information about the use be made available, or at the discretion of the Refuge Manager.

8/14/22