

DRAFT COMPATIBILITY DETERMINATION

Use: Tent Platforms

This compatibility determination is a reevaluation of an existing public use:

- Tent Platforms – Constructing, maintaining, or using a tent with a solid floor, frame, and fabric sides that can be easily dismantled and removed from the site when the period of authorized use comes to an end.

Supporting Uses: The following activities are often done in support of or in conjunction with tent platforms: audio recording; boating – human-powered, motorized, and wind-driven; cabin use; camping; concession use; cross-country skiing; disease management; dog sledding & ski touring; fixed-wing aircraft use; fuel caches; helicopter use (case by case determination); hiking and backpacking; photography and videography; electronics use; trapping; scientific capture/release or collection – plants, fish, birds, mammals, insects, rocks, etc.; snowmobile use; snowshoeing; surveys – scientific inventory and monitoring; swimming and beach use; tree harvest – firewood; and wildlife observation.

Refuge Name: Yukon Flats National Wildlife Refuge, Fairbanks, Alaska

Establishing and Acquisition Authority

In 1978, President Jimmy Carter established the 10.6 million-acre Yukon Flats National Wildlife Monument with Presidential Proclamation 4627. The monument was established from lands in the public domain. In 1980, the Alaska National Interest Lands Conservation Act (ANILCA) (§ 302) adjusted the boundary to 8.6 million acres, and established the Yukon Flats National Wildlife Refuge (Yukon Flats NWR) as part of the National Wildlife Refuge System (Refuge System).

Refuge Purposes

ANILCA sets out the purposes for each refuge in Alaska. The purposes of the Yukon Flats NWR as described in Section 302(9)(B), include:

- to conserve fish and wildlife populations and habitats in their natural diversity including, but not limited to, canvasbacks and other migratory birds, Dall sheep, bears, moose, wolves, wolverines and other furbearers, caribou (including participation in coordinated ecological studies and management of the Porcupine and Fortymile caribou herds) and salmon
- to fulfill the international treaty obligations of the United States with respect to fish and wildlife and their habitats
- to provide, in a manner consistent with the purposes set forth above, the opportunity for continued subsistence uses by local residents
- to ensure, to the maximum extent practicable and in a manner consistent with the purposes set forth above, water quality and necessary water quantity within the refuge.

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

Most tent platforms in Alaska are used in association with commercial activities (hunt guiding), subsistence activities, or federal/state research activities that require an overnight stay of more than a few days. Tent platforms may also facilitate one or more of the legislated wildlife-dependent, priority uses of the Refuge System.

Tent platforms are normally located near areas of convenient access such as river banks or large lake shorelines. Currently, there are very few tent platforms in use on the refuge. However, when they are in use, it is normally in the summer and early fall.

This compatibility determination addresses the predominant uses associated with tent platforms on the refuge. Tent platform use that substantially differs in scope or purpose from the activities covered by this compatibility determination will require a separate determination for compatibility. The scope of this determination includes tent platform use conducted by all agencies or entities other than the Service. Tent platform use that is part of a collaborative or cooperative effort with the U.S. Fish and Wildlife Service is not subject to a formal compatibility determination.¹

Availability of Resources

Adequate refuge personnel and base operational funds are available to manage this activity at current levels. Staff time (as many as five staff days per year) primarily involves monitoring use to ensure compatibility, phone conversations, written correspondence, and entering information into a database.

Anticipated Impacts of the Use

Physical evidence from the currently limited use of tent platforms on the Refuge suggests that adverse impacts are negligible. Moreover, tent platforms likely protect vegetation from damage that would normally occur from extended tent camping. Temporary displacement and/or disturbance to wildlife can occur, but there are no known long-term impacts to refuge wildlife populations from this disturbance. In

¹ Any action taken by the Service or Service-authorized agents including contractors, cooperating agencies, cooperating associations, refuge support groups, and volunteers is a refuge management activity, and thus is exempt from the compatibility determination process. 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.

Compatibility Determination for Tent Platforms – Yukon Flats NWR

our opinion, impacts to natural resources from legal tent platform use on the refuge are minimal.

Public Review and Comment

Public involvement for this document includes: a public notice in the *Fairbanks Daily News Miner*; posting the draft on the Service's Alaska Region compatibility determination Web site, <http://alaska.fws.gov/nwr/planning/index.htm>; posting a notice of availability at the Refuge headquarters in Fairbanks; and a 30-day public comment period.

Copies will be mailed or e-mailed upon request. Comments must be received by the refuge headquarters within the 30-day comment period to receive timely consideration. The period of public review and comment will commence on 16 April 2007, and end 16 May 2007.

Please send comments to:

U.S. Fish and Wildlife Service
Yukon Flats National Wildlife Refuge
Attn: Compatibility Determination Comments
101 12th Avenue, Room 264, Box 14
Fairbanks, Alaska 99701
(907)456-0440
(907)456-0447 (fax)
yukonflats@fws.gov

If you e-mail comments, please place the words, "Compatibility Comments," in the subject line and your comments in the body of the text. Please do not include attachments because they will not be opened due to the potential of computer viruses.

Determination

Use is Not Compatible

Use is Compatible

Stipulations Necessary to Ensure Compatibility

The following stipulations may apply to special use permits issued for tent platforms. Site specific stipulations are occasionally required to protect important habitats, for example permittees are required to limit activities near active peregrine falcon nesting sites. Continuing law-enforcement and administrative monitoring of permittees' activities will be carried out to ensure compliance with these conditions. (Note, the stipulations for special use permits may be updated to comply with revised regional policy or the Record of Decision for the Comprehensive Conservation Plan when it is revised.)

Compatibility Determination for Tent Platforms – Yukon Flats NWR

- Failure to abide by any part of this special use permit; violation of any refuge related provision in Titles 43 (Part 36) or 50 Code of Federal Regulations (CFR) (sub-chapters B and C); or violation of any pertinent state regulation (e.g., fish or game) 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 Service. This provision applies to all persons working under the authority of this permit. Appeals of decisions relative to permits are handled in accordance with 50 CFR 36.41.
- The permittee is responsible for ensuring that all employees, party members, aircraft pilots and 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 Alaska Department of Fish and Game, and 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 due to high fire danger, flooding, unusual resource problems, or other significant problems or emergencies.
- 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/supervisor; (2) the aircraft and other vehicle types to be used, including identification information; (3) names of assistants and helpers; and (4) any changes to information provided in the original permit application.
- In accordance with the Archaeological Resources Protection Act (16 USC 470aa), the removal, excavation, disturbance, collection, or purchase of historical, recent, ethnological, or archaeological specimens or artifacts is prohibited.
- The use of off-road vehicles (except snow machines) is prohibited.
- 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 maintain a minimum altitude of 2000 feet above ground level, except during take-off and landing, and when safety considerations require a lower altitude.

Compatibility Determination for Tent Platforms – Yukon Flats NWR

- 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, and no clearing of vegetation for landing/takeoff is permitted.
- Fuel caches are allowed only in designated areas, must be identified on a US Geological Survey map (or map photocopy), and submitted in writing for approval by the refuge manager before they are established. Storage will meet standards of US Fish and Wildlife Service-Alaska Region, Fuel Storage Policy.
- Any action by a permittee or the permittee's employees that unduly interferes with or harasses refuge visitors or impedes access to any site is strictly prohibited. Examples of prohibited acts include, but are not limited to: 1) parking aircraft or placing other objects (rocks, tents, etc.) on any area so as to restrict use by other aircraft; 2) otherwise intentionally interfering in the activity of other refuge users; and 3) engaging in activity that is contrary to state and federal laws.
- The permit is for refuge lands only. This permit does not authorize use of private lands such as land owned by Alaska Native Claims Settlement Act Native regional and village corporations, individuals or the State of Alaska.
- 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 will be responsible for reporting any fires arising from these activities and will immediately notify the Alaska Fire Service and the Fish and Wildlife Service.
- Tent platforms, if permitted, will be removed at the end of the use period and not later than the permit expiration.

Justification

Section 1316(a) of ANILCA provides that, “*On all public lands where the taking of fish and wildlife is permitted in accordance with the provisions of this Act or other applicable State and Federal law the Secretary shall permit, subject to reasonable regulation to insure compatibility, the continuance of existing uses, and the future establishment, and use, of temporary campsites, tent platforms, shelters, and other temporary facilities and equipment directly and necessarily related to such activities.*”

Tent platforms can facilitate subsistence activities and wildlife-dependent recreation. One of the purposes for which the Yukon Flats National Wildlife Refuge was established and is to be managed, is to provide the opportunity for continued

Compatibility Determination for Tent Platforms – Yukon Flats NWR

subsistence uses by local residents. The National Wildlife Refuge System Administration Act provides that when wildlife-dependent recreational uses are found to be compatible, the use “should be facilitated.” After considering the impacts of tent platforms at their current level of use, which are minimal, it is my judgment that tent platforms do not materially interfere with or detract from the purposes for which the refuge was established or the mission of the National Wildlife Refuge System.

Mandatory 10-Year Reevaluation Date: May 2017

This compatibility determination is a reevaluation of an existing use that facilitates wildlife-dependent, priority public uses and other refuge uses. The use is not recognized as a priority public use of the Refuge System, and after an opportunity for public comment, must be reevaluated if conditions under which the use is permitted change significantly or if there is significant new information regarding the effects of the use, but not less frequently than every ten years.

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

Supporting Documents

- Compatibility Determination, Uses (includes camping) allowed by the 1987 Yukon Flats NWR Comprehensive Conservation Plan, 19 July 1994
- Comprehensive Conservation Plan, Environmental Impact Statement and Wilderness Review, Yukon Flats NWR, 29 December 1987
- Alaska National Interest Lands Conservation Act of 1980 (as amended)
- River Management Plan – Beaver Creek Wild River, December 1983
- Final Wild and Scenic River Study and Environmental Impact Statement for the Lower Sheenjek, September 1999
- National Wildlife Refuge System Administration Act of 1966 (as amended)
- Environmental Assessment for the Policy on Commercial Big-Game Guide-Outfitters and Transporters on National Wildlife Refuges in Alaska, May 22, 1992
- Finding of No Significant Impact, Environmental Assessment for the Policy on Commercial Big Game Guide-Outfitters and Transporters on National Wildlife Refuges in Alaska, June 9, 1992
- Subsistence Management for Federal Public Lands in Alaska, Final Environmental Impact Statement, Record of Decision signed April 2, 1992
- Title 50, Part 36, US Code of Federal Regulations 2004

Compatibility Determination for Tent Platforms – Yukon Flats NWR

Refuge Determination

Refuge Manager /

Project Leader Approval: _____

(Signature)

(Date)

(Signature)

(Date)

Regional Chief,
National Wildlife

Refuge System: _____

(Signature)

(Date)