

Record of Decision

Revised Comprehensive Conservation Plan

Kodiak National Wildlife Refuge, Alaska



U.S. Fish and Wildlife Service
Region 7

February 8, 2007

For further information contact the Refuge Manager, Kodiak National Wildlife Refuge, 1390 Buskin River Road, Kodiak, Alaska 99615, Phone (907)487-2600. Copies of the final *Revised Comprehensive Conservation Plan/Environmental Impact Statement* and this Record of Decision may be obtained from the above address or downloaded at <http://alaska.fws.gov/nwr/planning/kodpol.htm>.

Record of Decision

Revised Comprehensive Conservation Plan Kodiak National Wildlife Refuge, Alaska

This Record of Decision (ROD) is for the *Revised Comprehensive Conservation Plan and Environmental Impact Statement for Kodiak National Wildlife Refuge, Alaska*, dated September 2006 (*Revised Conservation Plan/EIS*). It documents my decision and includes a summary of the alternatives considered, public involvement in the decision making process, and the basis for making this decision. The Revised Conservation Plan will guide management of Kodiak National Wildlife Refuge for the next 15 years or until it is revised.

Decision

It is my decision to adopt Alternative D (the Preferred Alternative), as described in the *Revised Conservation Plan/EIS* for Kodiak Refuge. Alternative D reflects my intent to manage Kodiak Refuge to achieve the mission of the National Wildlife Refuge System and meet the purposes for which the Refuge was established. Alternative D conserves the fish, wildlife, and habitats of Kodiak Refuge and facilitates subsistence and recreation in settings that emphasize natural and unaltered appearing landscapes.

Alternative D emphasizes natural processes across the Refuge. Large-scale changes to the landscape are not anticipated. The goals and objectives in Alternative D provide the framework for addressing current and future challenges to managing the fish and wildlife populations and their habitats within the Refuge and ensuring that fish and wildlife-oriented recreation are abundant throughout the Refuge. Alternative D incorporates all relevant recommendations from the State of Alaska's *Kodiak Archipelago Bear Conservation and Management Plan*. We intend to implement Alternative D, given budgetary constraints, to provide fish and wildlife programs and public use opportunities that achieve our vision for the future of the Refuge.

Management of public use will continue much like in the past. Increased effort will be made to identify user conflicts and work toward resolution; law enforcement efforts will be improved. Access and uses that have been occurring since the Refuge was established in 1941 will continue. If monitoring shows changes in conditions or use patterns that are detrimental to the natural or other values of the Refuge, steps will be taken to protect those at-risk resources. Increased education will be the first step; other steps, including regulation of human activities, will be considered should education not provide the needed results. This decision continues the recommendation for Wilderness designation (approximately 1.08 million acres) from the 1987 Record of Decision (1987 ROD) for the original *Kodiak National Wildlife Refuge Comprehensive Conservation Plan, Environmental Impact Statement, and Wilderness Review (1987 Conservation Plan/EIS)*. This recommendation will remain in effect unless withdrawn or until revised or submitted to Congress.

Specific management actions described in Alternative D include the following.

Land Management Categories. Most Refuge lands, totaling 1,592,753 acres, will be managed under the Minimal Management category. Lands along the Refuge’s northwestern coast, totaling 31,521 acres, will be managed under the Moderate Management category. Moderate Management areas under the *1987 Conservation Plan* along the southern and eastern coastline of the Refuge (12,579 acres) will be reclassified into the Minimal Management category. The Special River Management category will be eliminated. Land management categories for Alternative D are depicted in Figure 1.

Protection of Bear Concentration Areas. Voluntary guidelines for public use of bear concentration areas will be developed. Current restrictions on commercial operators will be replaced with these guidelines. Seasonal day-use-only restrictions may be proposed for some areas if future evaluation of human use of bear concentration areas documents that voluntary guidelines are ineffective and it becomes necessary to regulate use to maintain compatibility, protect resource values, or safeguard human health and safety. One key bear denning area, consisting of about 2,820 acres at Den Mountain, will be closed to snowmachine use by regulation.

Management of Camping Areas. Camping will be allowed throughout the Refuge, except at O’Malley River during the seasonal closure. Camping areas (undeveloped sites where people camp) may be improved (e.g., minor leveling of tent sites or maintenance of user-developed trails), and equipment and/or facilities may be provided (e.g., outhouses, temporary bear-resistant food storage containers, or temporary solar-powered electric fences), if needed for resource protection or public health and safety. Regulations prohibiting camping within one-quarter mile of public use cabins and administrative sites will be promulgated.

Management of the Public Use Cabin Program. The Refuge may have more than nine public use cabins. Seven public use cabins are currently available to the public by reservation. These cabins may be relocated, if necessary, and two new cabins may be constructed. Also, cabins on recently acquired lands may be considered for management as public use cabins. New cabins will only be added to the public use cabin program after consultation with stakeholders.

Management of O’Malley River. The existing O’Malley River closure regulations will be modified to allow a bear viewing program combining agency-supervised use—U.S. Fish and Wildlife Service (Service)/Alaska Department of Fish & Game (ADF&G)—with commercially guided use by one or more operators.

Other Alternatives Considered in Detail

The draft and final *Revised Conservation Plan/EIS* evaluated three other alternatives for the management of Kodiak Refuge. A summary of each follows.

Alternative A (Current Management “No Action” Alternative). This alternative represents current management from the *1987 Conservation Plan/EIS* for Kodiak Refuge and its ROD, as modified by subsequent laws, regulations, and step-down management plans.

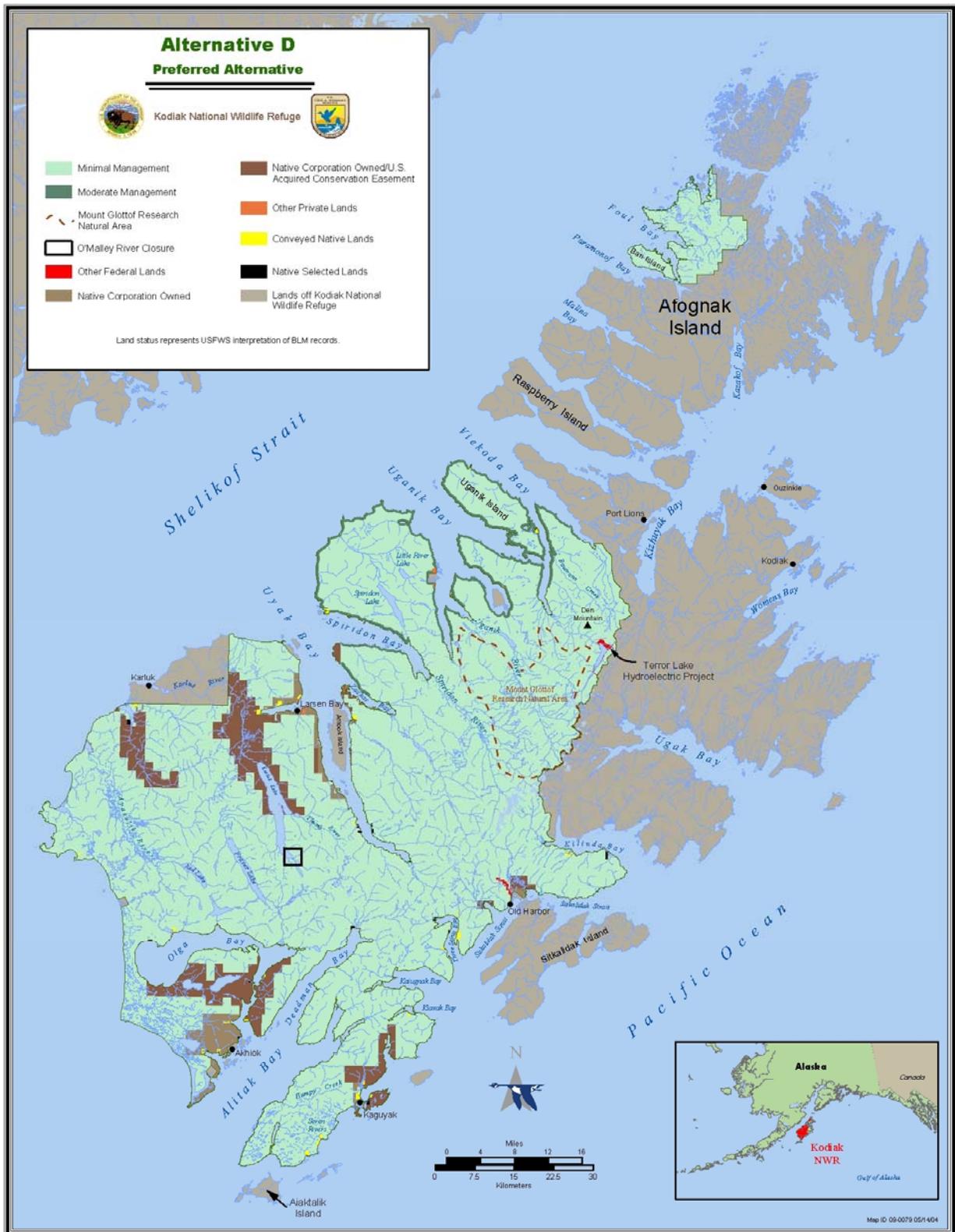


Figure 1. Land management categories under the Preferred Alternative

Land Management Categories. There are four management categories: Moderate Management (44,100 acres), Minimal Management (1,580,174 acres), Wilderness Management (0 acres), and Special River Management (0 acres). No Wilderness areas are designated within the Refuge; however, a 1.08 million-acre Wilderness recommendation was included in the 1987 ROD and would remain in effect in this alternative.

Protection of Bear Concentration Areas. Regulations would be promulgated to seasonally restrict public access at nine bear concentration areas and close two bear denning areas to snowmachine use.

Management of Camping Areas. Camping areas would not be actively managed. Regulations prohibiting camping within one-quarter mile of public use cabins and 200 yards of federal or state administrative facilities would be promulgated.

Management of the Public Use Cabin Program. The seven public use cabins currently on the Refuge would be maintained. Two additional cabins could be constructed, and abandoned cabins or cabins on newly acquired land could be added to the program.

Management of O'Malley River. The seasonal regulatory closure of the O'Malley River area to all users would continue. No formal bear viewing program would be operated on the Refuge.

Alternative B.

Land Management Categories. Kodiak Refuge would be managed under two management categories: 44,100 acres in Moderate Management and 1,580,174 acres in Minimal Management. The Special River Management category would be eliminated.

Protection of Bear Concentration Areas. Regulations seasonally limiting use at nine bear concentration areas and closing two bear denning areas to snowmachine use would not be promulgated. Voluntary guidelines to minimize human-bear interactions would be developed for public use in bear concentration areas.

Management of Camping Areas. Camping areas could be improved, and equipment and facilities could be provided, if needed to mitigate public use impacts. No regulations related to camping would be promulgated.

Management of the Public Use Cabin Program. The public use cabin program would be allowed to grow by constructing new cabins, or by converting abandoned cabins or cabins on newly acquired lands to public use, after consultation with stakeholders.

Management of O'Malley River. The O'Malley River closure regulations would be modified to allow for a commercially guided (one operator) bear viewing program.

Alternative C.

Land Management Categories. Kodiak Refuge would be managed under two management categories: 32,738 acres in Moderate Management and 1,592,536 acres in Minimal Management. The Special River Management category would be eliminated.

Protection of Bear Concentration Areas. Voluntary guidelines for public use of bear concentration areas would be developed. Current restrictions on commercial operators would be replaced with these guidelines. Regulations to seasonally restrict all public access at nine bear concentration areas would not be promulgated. Seasonal closures or day-use-only restrictions may be proposed for some areas based on the ongoing evaluation of these areas and the effectiveness of the voluntary guidelines. Two key bear denning areas would be closed to snowmachine use by regulation.

Management of Camping Areas. Camping areas would not be actively managed. Regulations prohibiting camping within one-quarter mile of public use cabins and federal and state administrative facilities would be promulgated.

Management of the Public Use Cabin Program. The public use cabin program would be phased out. Major maintenance projects would not be undertaken, no new cabins would be constructed, and abandoned cabins and cabins on newly acquired lands would not be managed for public use.

Management of O'Malley River. The O'Malley River closure regulations would be modified to allow operation of a bear viewing program run by the Service in cooperation with ADF&G.

The Environmentally Preferable Alternative

While the differences in environmental effects among the four alternatives evaluated in the *Revised Conservation Plan/EIS* are small, Alternative D is the environmentally preferable alternative because it has the least potential for adverse effects to the biological and physical environment and best protects, preserves, and enhances refuge resources. Alternative D includes the greatest amount of land in the Minimal Management category—1,592,753 acres. This management category focuses on protecting fish and wildlife habitat and providing subsistence and recreational opportunities while maintaining the natural environment with very little evidence of human-caused change.

Subsistence Use Evaluation and Finding (Section 810 of ANILCA).

A subsistence use evaluation and finding of no significant restriction is found in Section 4.5 of the final *Revised Conservation Plan/EIS*. None of the alternatives contain actions that would reduce subsistence uses or change the availability of resources by altering their distribution, migration, or location; or place any limitations on access to harvestable resources used for subsistence purposes.

Public Involvement and Comments Received

Public involvement and comment has been requested, considered, and incorporated throughout the planning process. The notice of intent to revise the *1987 Conservation Plan/EIS* was published in the *Federal Register* on May 3, 1999, beginning the formal public comment and involvement period. Public meetings were held in Kodiak and Anchorage and plan revision was one of the topics discussed during refuge staff visits to local villages. Two planning updates discussing opportunities for and results of public involvement were distributed. Comments and

concerns received during this time were used to identify issues and draft alternatives for evaluation in the environmental impact statement.

The *Draft Revised Comprehensive Conservation Plan and Environmental Impact Statement for Kodiak National Wildlife Refuge* (October 2004; *Draft Revised Conservation Plan/EIS*) was released for public review in October 2004; public comments were accepted through January 21, 2005. Written comments were received from 34 interested individuals, non-governmental organizations, and government agencies. Public meetings were held in Anchorage and Kodiak, and meetings or teleconferences were held in other local communities, to receive additional comments. All substantive issues raised in the comments on the *Draft Revised Conservation Plan/EIS* have been addressed through revisions incorporated into the final *Revised Conservation Plan/EIS* text or in responses contained in Appendix K of that document.

Changes to the Preferred Alternative. Alternative D in the final *Revised Conservation Plan/EIS* is similar to Alternative D in the *Draft Revised Conservation Plan/EIS*. The major change is the amount of land reclassified from Moderate Management to Minimal Management. Under Alternative D in the *Draft Revised Conservation Plan/EIS*, nearly 32,000 acres would have been reclassified under the Preferred Alternative; in Alternative D in the *Revised Conservation Plan/EIS*, only about 13,000 acres will be reclassified. In addition, in response to a request by the State of Alaska, the introduction of native fish species from within a refuge drainage into areas where they have not historically occurred may be allowed under Minimal Management.

Responses to Comments Received on the Final Revised Conservation Plan/EIS. The Service issued the final *Revised Conservation Plan/EIS* for Kodiak Refuge in September 2006. We received nine comment letters, including letters from the U.S. Environmental Protection Agency, the State of Alaska, The Wilderness Society, the Kodiak Unified Bear Subcommittee (of the Kodiak Fish and Game Advisory Committee), and five individuals. The comments received addressed specific aspects of implementing the plan and do not require changes in the plan. Alternative D was not changed based on the comments received. Comments related to commercial fishing will be addressed in the upcoming revision of the 1987 Commercial Fishing Activities Management Plan, currently scheduled for completion by the end of this year. The State of Alaska requested a technical clarification of the following sentence in Section 2.2.2 (page 2-36): “*Special use permits for research and commercial uses in these waters (below mean high tide) will be issued by the Alaska Maritime Refuge.*” The Service does not regulate activities over which it has no authority, such as commercial fishing in marine waters.

Measures to Minimize Environmental Harm

All practicable measures to avoid or minimize environmental impacts that could result from implementation of Alternative D have been identified in the final *Revised Conservation Plan/EIS* or will be identified in subsequent step-down plans. Stipulations are identified in the compatibility determinations (Appendix E) to ensure that public and other uses are compatible with the purposes of the Kodiak Refuge. These compatibility determination stipulations, and other mitigation measures identified in Alternative D, are adopted in this ROD and will be followed or enforced by refuge staff and volunteers.

Findings and Basis for Decision

In making my decision I reviewed and carefully considered the impacts identified in the draft and final *Revised Conservation Plan/EIS*; relevant issues, concerns, and opportunities; public input received throughout the planning process including comments on the draft and final *Revised Conservation Plan/EIS*; and other factors including refuge purposes and relevant laws, regulations, and policies. For the following reasons, I selected Alternative D.

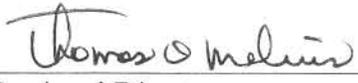
Alternative D best accomplishes refuge purposes, best helps achieve the missions of the National Wildlife Refuge System and the Service, and best meets the vision and goals identified in the plan. It best provides long-term protection of fish and wildlife populations and their habitats while allowing for appropriate levels of fish and wildlife-dependent recreation, subsistence, and other public uses.

Alternative D classifies the most refuge land, 1,592,753 acres (98 percent), in the Minimal Management category. This management category focuses on protecting fish and wildlife habitat and providing recreational and other use opportunities in a natural environment with very little evidence of human-caused change. Management under this category most closely mirrors the Service's vision statement for the Refuge.

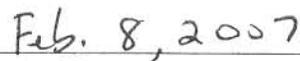
Alternative D provides the most diverse opportunities for bear viewing. The structured viewing program at O'Malley River includes opportunities for viewing bears either with commercial guides or under the supervision of Service/ADF&G staff. Both options were identified by the public during research undertaken in the course of the planning process. We are committed to giving the public ample opportunity to assist and comment on the modifications to the seasonal closure regulations for the O'Malley River area as well as the process used to select and allocate viewing opportunities to commercial operators.

Alternative D also provides general viewing opportunities, both guided and unguided, throughout the remainder of the Refuge. Voluntary use guidelines for bear viewing at many bear concentration areas will be developed. The public will be invited to assist the Refuge in developing these guidelines. In addition, this alternative allows the Refuge to restrict use through regulations if voluntary guidelines are not effectively managing human use.

My decision adopting Alternative D is effective immediately.



Regional Director



Date