STATE OF ALASKA

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ANILCA IMPLEMENTATION PROGRAM

April 30, 2004

Robin West
Refuge Manager
Kenai National Wildlife Refuge
P.O. Box 2139
Soldotna, Alaska 99669

Dear Mr. West:

The State of Alaska reviewed the Draft Cabin Management Plan, Environmental Assessment and associated Compatibility Determination. The State supports the Kenai National Wildlife Refuge's efforts to increase opportunities for the public to engage in fish and wildlife-oriented activities through improvement of the refuge cabin system and formalization of a reservation system. The preferred alternative provides for increased opportunity primarily by publicizing the existence of the cabins on the refuge and allowing individuals to reserve cabins in advance of their trip. This letter contains the consolidated comments of the State's resource agencies.

ANILCA Section 1315(d)
The Plan states that none of the six proposed new cabins will be constructed in designated Wilderness, which accounts for 69% of the refuge, or 1.35 million acres. Provisions in ANILCA 1315(d) and implementing regulations at 50 CFR 36.33(d)(4) and (d)(5) explicitly provide for the construction of new cabins within Wilderness. We request that the document reflect this background information. We also request that decisions to build a cabin in or out of designated Wilderness be made on an individual basis as allowed by existing law; not be systematically excluded from Wilderness through the EA. Future planning and circumstances may identify locations where the placement of additional cabins within Wilderness areas is reasonable and compatible with the purposes of the Refuge, especially when new cabins could alleviate concerns for human health or safety consistent with ANILCA 1315(d). In our view, the EA does not contain sufficient analysis to justify prohibiting cabins in specific areas.

Length of stays
We request the EA provide flexibility to managers to adjust length of stays depending on the cabin and season. As cabin use data is acquired under the new reservation system, managers should be able to apply this new information to management decisions. As some cabins become more popular, the plan should provide flexibility to shorten stays at peak periods, which will increase the number of visitors who can enjoy popular cabins. Conversely, some cabins may receive little use due to accessibility or other factors, in which case longer stays should be allowed, especially when cabins are remote, require expensive travel, and visitors tend to want to stay longer. In such cases, the length of occupancy could be longer than seven days.

Cabin occupancy information
Information on the availability of the cabins should be readily available at the refuge and posted on the refuge website (not limited to a log book at the cabin). Users who are planning to use a first-come-first-served cabin should have the ability to check availability prior to expending the time, effort, and expense of traveling to the cabin only to find the cabin is occupied. Making this occupancy information available will both provide certainty of cabin availability to users, and allow the refuge to notify the public of times when the cabin will be needed for administrative purposes. This approach would require minimal additional work and would avoid conflicts with visitors expecting to stay at cabins occupied by Service staff. We understand that refuge staff currently do not have the ability to post information to the refuge web site. We hope our suggestions will provide additional encouragement to the Regional Office to provide the refuge with this ability as soon as practicable.

Trapping
It is not clear if trapping will continue to be an allowed use from the refuge cabin system. Such use is currently permitted and several of the existing cabins were originally constructed as trapping support facilities. If trapping will not be an allowed use, would the Service consider issuing special use permits for tent platforms or cabins in support of this activity?

Reclassification of Cabins
A cabin designated as First-Come-First-Served that becomes more popular over time may merit reclassification as Public Use-Reservation (or via versa). We request the EA add language that provides flexibility for this reclassification to adapt to changing public use patterns or administrative needs.

Big Bay Cabin
We recommend considering the Big Bay for public use/reservation designation once cabin repairs are made. It is easily accessible by boaters, and fits the same general criteria as the Nurses, Pipe Creek and Caribou Islands cabins already on Tustumena Lake.

PAGE-SPECIFIC COMMENTS

Page 8, First-Come-First-Served.
The last sentence states that the Service will post a cabin at least 14 days prior to official use; however, the text does not state how the cabin will be posted. See general comments regarding "Cabin Occupancy Information."

Page 8, second bullet:
See comments above concerning construction of cabins in Wilderness.

Page 8, fifth bullet:
See general comment about length of stays.

Page 8, ninth bullet:
The camping limit near cabins should be instituted on a case-by-case basis. While 600 feet may be appropriate in most instances it may not be in some others.

Page 8, tenth bullet:
Will a fixed grate be provided or a fire pit only? Many visitors will welcome use of a fire pit but some prefer the option of not using a grate as they may not accommodate their specific use intentions. We suggest consideration of removable grates that lift or slide to the side.

Page 8, last bullet:
Will these restrictions be enforced as regulations or as permit stipulations? The State agrees with the intention of reducing bear/human encounters but clarification of the methods to prevent encounters and their enforcement should be explained in the EA. We strongly urge the Service to defer to the State's existing (and recently strengthened) regulations as much as possible.

Page 10, #3 under Alternative C (Preferred Alternative):
Suggest revising text to "…and day visitation would *be* emphasized."

Page 11, #1 under Alternative C (Preferred Alternative):
If the preferred alternative is selected but adequate funding is not allocated to fully implement it, what would be the disposition of the three cabins kits that the refuge has already purchased? Could their construction be allowed under Alternative A? We recommend the EA explicitly allow volunteer groups or other organizations in partnership with the refuge to construct these cabins if refuge funding is not available. This could be addressed under actions common to all alternatives or in the Compatibility Determination (availability of resources).

Page 11, #6, all alternatives:
We agree with the intention of reducing unlawful or improper wildlife/resource conflicts, but would like to see maximum education and outreach efforts to alleviate problems before the introduction of caps or other limits on use. This may actually be implied in the text or in the matrix, but could be expanded upon and better emphasized in the EA.

Page 13, fourth bullet under Alternative C (preferred Alternative):
This bullet states that users would be required to register on-site for overnight use. Similar to discussion on cabin occupancy above, users who expend time, energy, and resources to reach an administrative/historical cabin should have the ability to determine the status (occupied or in administrative use) prior to travel. We suggest the Service provide all known availability status of cabins at the visitor center and on the Internet, in addition to a posting at the cabin.

Page 14, fifth bullet:
See general comments above concerning construction of cabins in Wilderness.

Page 17, first paragraph:
Please revise the first sentence to read "conservation system *units*…" to be consistent with the ANILCA definition.

Page 21, third full paragraph:
What is the estimated percentage of current occupancy of the refuge cabins? This estimate would be useful in further estimating the potential increase in use since the EA says it may increase substantially.

Page 23, fifth paragraph:
Safety and other use information should also be posted inside each cabin.

Page 24, Environmental Consequences, fourth full paragraph:
The increase of harvest of fish and especially wildlife may be anticipated but is not very likely. These resources are managed and harvests regulated by the Alaska Department of Fish and Game and are regularly monitored. Wildlife is particularly closely regulated in this area and many of the hunts conducted are under a permit system. We do not expect legal harvest to increase or significantly impact those populations. This comment also applies to the Summary of Impacts by Alternative, page 29, Biological Resources.

Page 29, first paragraph:
The first sentence states that impacts would increase "significantly" if the preferred alternative were adopted. There is a potential for increased impacts related to the preferred alternative, however it is difficult to determine at this time whether the impact rise to the level of "significant." Suggest rewriting the text to "Impacts ***may*** increase…" to avoid the implication that the impacts will be significant. The Service may determine at some point in the future that there are significant impacts associated with the preferred alternative but it appears to be outside the scope of this EA to make that determination. Additionally, we request replacing the word "*would*" with "*may*" in this and other discussions of the impacts of the alternatives. This chapter presents the impacts that *may* occur as a result of the alternatives not what the impacts of the alternatives *will* be.

Page 29, Social or Economic Impacts:
The EA should also recognize the potential for positive impacts of an enhanced cabin management plan. Visitors would be able to partake in fish and wildlife oriented recreation and appreciate the special values of the refuge, especially those families with small children for whom tent camping is not an easy alternative.

Map following page 31:
We suggest including all cabins addressed in the Preferred Alternative (Alternative C) on this map. The classification of the cabins could also be added to the legend.

Page 34, second and third full paragraphs:
See general comments on cabins in Wilderness areas.

Appendix A, Page 37, second paragraph:
We suggest naming the two lakes with restrictions for aircraft access due to trumpeter swans.

Appendix A, page 38, third full paragraph:
The third sentence refers to…"Kenai NWR waters and shoreline…" Unless shown otherwise, it is likely that these are within state navigable waters. One way to avoid this unnecessary jurisdictional red flag is to refer to "waters within or flowing through the refuge."

Appendix A. page 39, first paragraph:
There are only 7 public use cabins on the Kodiak National Wildlife Refuge at the present time.

Appendix B, pages 40-46:
We suggest including a data sheet for all cabins discussed in the Preferred Alternative.

Appendix E, page 54, last sentence:
The last sentence has a grammatical error. It should read "structures remain *in* usable *condition*…"

Appendix E, Page 56, Compatibility Determination, stipulation #4:
We request deletion of this inappropriate stipulation which states that no new cabin construction will occur in designated Wilderness on the refuge. This stipulation is unnecessary; and in fact is not reflective of ANILCA 1315, which provides for cabins in Wilderness in Alaska.

ANILCA Section 810 Evaluation, page 59:
The fifth full sentence has a grammatical error. It should read "has resulted *in* no more than…."

Thank you for your consideration of these comments. If you have any questions, please call me at 907-269-7477.

Sincerely,

/ss/

Sally Gibert
State ANILCA Coordinator