

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

STEVE COWPER, GOVERNOR

STATE CSU COORDINATOR  
2600 DENALI STREET, SUITE 700  
ANCHORAGE, ALASKA 99503-2798  
PHONE: (907) 274-3528

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Dr. Gail Baker  
Chief of Planning  
U. S. Fish & Wildlife Service  
1011 E. Tudor Road  
Anchorage, AK 99503

Dear Dr. Baker:

In anticipation of the development of Public Use Management Plans for all national wildlife refuges in Alaska, the State of Alaska has compiled the attached recommendations.

Based on the state's review of several Public Use Management Plans to date, state agency reviewers have noted certain issues which appear to be common to most refuges. These issues, discussed in the attachment, are provided to assist in early identification of concerns which the state believes should be addressed in all Public Use Management Plans. Many of them are applicable to other step-down planning efforts as well.

The attached recommendations are provided at this time to facilitate state participation in step-down planning for refuges. To the extent that these recommendations are addressed early in the planning process, both the state and refuge staff will have greater opportunity to focus on important refuge-specific issues.

Thank you for your consideration of these comments. If you or your staff have any questions about the attachment, please feel free to call us in this office at 274-3528.

Sincerely,

  
Sally Gilbert  
State CSU Coordinator

  
Michelle Sydeman  
State CSU Coordinator

Attachment

STATE OF ALASKA GENERIC ISSUES REGARDING  
PUBLIC USE MANAGEMENT PLANS  
FOR NATIONAL WILDLIFE REFUGES IN ALASKA

Based on the review of several public use management plan (PUMP) workbooks, the State of Alaska has identified certain issues which appear to be common to most national wildlife refuges in Alaska. Therefore, the state is providing the following summary of these issues for early consideration in all future public use management plans.

- Objectives. The state recommends that the FWS consider including the following objective for managing public use of refuges:
  - To allow existing uses of the refuge to continue, unless they pose a significant demonstrable threat to refuge resources.
  
- Planning Context. We appreciate that PUMP workbooks to date provide a brief explanation of the relationship of the PUMP to previous planning, specifically the comprehensive conservation plans. Providing this context helps the public understand the big picture and the importance of public participation. Such a context should be provided in all PUMP documents, as well as other step-down plans.
  
- Public Use and Access Restrictions. The State of Alaska recognizes that restrictions on public use of and access within refuges may be necessary in limited circumstances to protect refuge resources. However, we urge the FWS to tailor any proposed restrictions to actual management needs using site-specific and season-specific methods. The FWS should also provide the public with information that clearly documents the need for such restrictions. This concern applies to restrictions on use of motorboats, aircraft, snowmobiles, mechanized equipment and pack animals, as well as access to key wildlife areas. (This recommendation applies only to federal lands. Management of state lands and waters, including tidelands, shorelands, and submerged lands, are the responsibility of the state.)

The final PUMPs should also clarify that any proposed closures and public use restrictions will utilize the Federal Register notice and hearing process.
  
- Mechanized Equipment. Consistent with the Alaska Land Use Council's November 1987 recommendations, the state encourages the FWS to maintain flexibility to (1) permit limited use of mechanized equipment, such as generators and chainsaws, where necessary to support traditional refuge

activities and where such use would not significantly detract from wilderness values; and (2) designate ORV routes where necessary to protect traditional access or to accomodate other public uses.

- ° Airstrip Maintenance. Where appropriate, the FWS should address how existing remote airstrips and landing sites will be managed and/or maintained. Specifically, the state requests that the FWS provide for on-going informal maintenance (either by FWS or the user public), such as rock removal, brushing, etc.
- ° Studies of Traditional Access. Wherever possible, the state encourages the FWS to precede any access restrictions with studies that document traditional use patterns. Ideally, such studies should be initiated for all refuges as soon as possible to provide historical baseline information.
- ° Subsistence. We urge the FWS to carefully consider the effects of public use management strategies on local subsistence users and uses. For example, proposals to enhance sport fishing opportunities or to allow or restrict access within certain areas of a refuge should consider the effects of such proposals on local subsistence activity.

The FWS should determine which actions proposed in the PUMPs are subject to the ANILCA Section 810 process and explain how it intends to ensure that proper evaluations are conducted to assess the potential effects of management actions on subsistence uses. We request that the state be provided an opportunity to review PUMP Section 810s before final decisions are made concerning whether or not to proceed with the proposed action.

- ° Information and Education. The state encourages emphasis on information and education programs for refuges and stands ready to assist in the review or development of related materials. The FWS should consider developing programs for local primary, secondary, and college level institutions. The continued use of volunteers for education, research, and maintenance programs is also encouraged.

Where appropriate, the state suggests that the FWS provide the public with information that advises visitors of allowable refuge uses, including subsistence, and suggests steps to avoid conflicts with local resident use patterns and lifestyles.

- ° Related Issues. The FWS should consider whether or not the following issues merit consideration in a public use management plan. If they are important activities in a particular

refuge, they could be incorporated into the public use management plan or developed in a separate step-down plan:

- Commercial Fishing, specifically cooperation regarding permitting and policies for commercial fishing support activities on refuge uplands.
- Military Exercises, especially if such exercises will likely constitute a major use of refuge lands. The extent of anticipated use and any restrictions that would apply should be addressed.
- Mining, especially if a refuge contains mining claims. Guidelines for mineral extraction, both recreational and commercial should be addressed.

- ° Cabins and Campsites. The state recommends that the FWS consider the possibility of providing additional public use cabins and campsites on selected refuges following an analysis of public need/demand and possible impacts on fish and wildlife resources and their uses, especially subsistence. This analysis should include consideration of providing food/meat caches at cabin and/or camp sites to reduce the potential for human/bear conflicts.

Also, we suggest that the PUMPs briefly address Section 1316 of ANILCA which provides for the establishment and use of tent platforms, shelters, caches, and other temporary facilities and equipment directly related to the taking of fish and wildlife. If applicable, special use permits required per 50 CFR 27.92 should also be addressed.

- ° Land Ownership. It would be valuable for the FWS to provide the public with detailed maps of land ownership boundaries and ANCSA 17(b) easements for access and camping. The maps should clearly identify state tidelands, submerged lands, and shorelands. Wherever possible, easements and boundaries should also be identified on the ground.
- ° Future Workbooks. Some issues and questions have been presented in the planning workbooks such that the reader may be led to make inappropriate pre-determined conclusions. For example, the fifth issue in the first Kodiak Workbook reads as follows:

"If additional commercial activities are allowed in private facilities currently under permit, refuge wildlife and habitats may be jeopardized by concentrating human use for longer periods. The impacts of allowing new uses on facilities with refuge permits will be discussed."

The state believes it would be more appropriate to frame this type of issue without reference to possible detrimental impacts on refuge wildlife and habitats since 1) concentrating use may reduce otherwise dispersed impacts and 2) there may be positive impacts that need to be considered in addition to the potential negative impacts.

- ° State-owned Tidelands, Submerged Lands, Shorelands, and Watercolumns Subject to State Jurisdiction. The FWS should closely coordinate any proposals concerning public use of these lands and waters with the State of Alaska. As noted below from the Record of Decision (ROD) for the Kodiak Refuge Comprehensive Conservation Plan:

The Submerged Lands Act of 1953, the Alaska Statehood Act of 1958, and the state constitution provide for state ownership of water (subject to the reservation doctrine discussed under the water rights section), shorelands (the beds of navigable waters), tidelands (lands subject to tidal influence), and submerged lands (lands seaward from tidelands).

This or similar language has been applied to all refuges in Alaska. The FWS has also routinely expressed intent to "work cooperatively with the state to ensure that existing and future activities on shorelands, tidelands, and submerged lands are compatible with the purposes for which the refuge was established" and acknowledges that "in the future, the Service may propose management actions to the state for these areas." This or similar language has been applied to all refuges in Alaska. Since management of these state-owned areas is important to both the state and the FWS, it is essential that such cooperation take place. The state is open to FWS proposals for management of state lands and waters to facilitate management of activities the cross land ownership boundaries.

- ° Refuge Purposes. While not a substantive issue, the state suggests that any references to the ANILCA purposes avoid the implication that the purposes set out for each refuge are the only purposes applicable. Other general purposes (e.g. in ANILCA and the Refuge Administration Act) also apply. This is consistent with similar requests we made during preparation of the comprehensive conservation plans.
- ° Fish and Wildlife Regulatory Process. The state suggests that each public use management plan clarify that the FWS will bring issues involving the allocation of fish and wildlife resources to the state's Boards of Fish and Game for initial consideration.

- ° Cooperation and Consultation. To the extent feasible, state agencies look forward to working with the FWS as it develops public use management plans. In particular, we encourage the FWS to consult regularly with Department of Fish and Game (DFG) personnel, including the DFG/FWS liaison, as management strategies are considered which could affect fish and wildlife resources and their uses.