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December 19, 1990

Mr. George Constantino
Associate Manager, Refuges and Wildlife
U.S. Fish and Wildlife Service
1011 East Tudor Road
Anchorage, AK 99503

Dear Mr. Constantino:

The State of Alaska has reviewed the October, 1990 internal review draft of the final Togiak Public Use Management Plan (PUMP). We greatly appreciate that a majority of the June 29, 1990 State comments on the April, 1990 draft PUMP have been addressed. The following comments are submitted on behalf of State resource agencies.

The Togiak Refuge planning staff is to be commended for conferring with state agencies in revising and expanding sections in the draft describing State management issues and refuge fishery resources and their uses. In particular, we appreciate that substantially more information is provided on subsistence and sport fishing effort, harvests and use conflicts.

We also recognize that extra effort has gone into consulting with both the guides and local residents in preparation of these revisions, including the August 1990 Planning Update, extra meetings and numerous personal contacts. Although the next version is intended as a final, we nonetheless encourage the FWS to make every effort to solicit additional comments so that the document may be further modified as necessary. To accomplish this, we suggest a Dear Reader letter which stresses that additional changes will be considered, both large and small. If recommended changes are modest, they may then be made easily in the Record of Decision. If unforeseen major problems crop up, then FWS should be prepared to issue another document for additional public review.

Scope of the Plan

For clarification, we suggest the following new language be included at the end of the sub-section titled, "The Scope of the Plan" on page 3:

"The management of fish and wildlife in refuges is guided by a Master Memorandum of Understanding (MMOU) signed by the FWS and DFG (appendix _____). Under provisions of this document, DFG has primary responsibility for the management of fish and resident wildlife and FWS has responsibility for the management of migratory birds, endangered species and other species mandated by Federal law. The Alaska Boards of Fisheries and Game are responsible for promulgating regulations affecting the take of fish and resident wildlife under state jurisdiction including the allocation of harvests among user groups. Since FWS and DFG have shared responsibility for conserving fish and wildlife, both agencies agree to consult and cooperate with each other in the development of research and management plans, legislation and policies affecting these resources."

We also understand that, despite previous state comments, the plan will remain titled a Public Use Management Plan. We recognize the difficulties of changing the title of a plan mid-stream. However, for future reference, state agencies continue to believe that a public use management plan should more fully address the range of public uses on the refuge, which this plan does not.

Distinctions Between Federal and State Management

The Togiak PUMP contains two separate and distinct sets of guidelines. It includes guidelines for FWS management of federal land, and guidelines for DNR management of state owned shorelands and waters. It is important that this distinction is clear throughout the plan.

The section of the plan that provides an overview of the refuge needs to include background on state owned shorelands and waters. To accomplish this, we suggest inserting the following on page 5, at the end of the Overview section:

"In addition to the laws passed to establish the Togiak National Wildlife Refuge, a set of actions taken prior to the creation of the refuge gave the State of Alaska ownership of the beds of navigable waters (shorelands), tidelands, and submerged lands within the current boundaries of the refuge. State ownership of these lands is an inherent attribute of state sovereignty protected by the United States Constitution. Ownership was vested in the newly formed State of Alaska in 1959. Under the Alaska Constitution, the state also owns and manages all waters in the state regardless of navigability. The water, and beds

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of navigable waters, tidelands, and submerged lands are held and managed by the state in trust for the use of the people. Creation of the Togiak National Wildlife Refuge did not affect state ownership of these lands and waters."

To help clarify the differences between the state and federal portions of the plan, we suggest the following chapter reorganization: Move Chapter IV (Management of State Land and Water Within the Togiak National Wildlife Refuge and the Lower Goodnews River) after Chapter II (Public Use Goals and Objectives for Federal Lands and Related Waters). Chapter III (Implementation and Recommendations) should follow Chapter II and IV since it covers both state and federal agencies.

The plan needs to use consistent wording when referring to areas subject to federal or state management. Specifically, the plan should use "FWS management of federal lands," and "DNR management of state owned shorelands and waters."

The state owns and has management authority over all water in the refuge. FWS guidelines apply to federal lands, not state owned water. This needs to be clarified in the plan. All references to "related waters" should be deleted.

We also recommend the Executive Summary (page vii) more explicitly define the content of this plan and more clearly defines the state and federal portions. To accomplish this, we suggest the following revision to the first paragraph.

"This plan addresses USFWS and DNR management of lands and waters in the refuge. The plan includes sections that address USFWS management of federal lands. The plan also includes separate sections that address DNR management of state owned shorelands and waters in the Togiak Wildlife Refuge and the Lower Goodnews River.

The section of the plan that addresses USFWS management of federal land includes a discussion and evaluation of four alternatives and proposed adoption of the alternative which best achieves refuge purposes and public use objectives. The FWS portion of this plan covers some public uses, principally fishing. One of the main issues addressed in the FWS management alternatives for federal land is the allocation of fishing opportunities between and among subsistence non-guided, and guided users that use federal land."

We also suggest adding the following to page 1 under the heading "The Scope of the Plan":

"This plan has two separate sections: 1) FWS management of federal lands and 2) DNR management of state owned shorelands and waters within the refuge and the Lower Goodnews River. DNR has primary management authority over

state owned shorelands and waters. FWS has primary management authority over federal lands. The two agencies have been working closely together to develop a coordinated management strategy for lands and waters in the refuge. This plan is the result of this effort.

Additional page-specific comments clarifying distinctions between state and federal management are included in the chronological technical comments starting on page 9.

Cape Peirce/Cape Newenham

Management proposals for Unit 7 are now less restrictive and are more appropriately confined to a smaller area surrounding Cape Peirce. It appears, however, that the primary goal in Unit 7 is to protect the marine mammal resources. If this is so, the FWS should first determine what levels of human use are compatible with this goal. Without this first step, it does not appear that FWS has adequate justification for the proposed management restrictions.

Furthermore, information is lacking describing the relationships between FWS and the State regarding the jurisdiction and management of fish and wildlife habitats in the refuge and in adjacent areas. A majority of the walrus and seals in this area haul out on intertidal areas under State jurisdiction. The same walrus population utilizes habitats in both the Cape Peirce area and the Walrus Islands Game Sanctuary managed by the State. Similarly there is a shared interest, often by the same persons, in using both areas for subsistence and recreational purposes.

These relationships should be explained in the plan and coordinated Federal - State management proposals need to be developed similar to those in the other planning units. We also recommend that the appropriate FWS and DFG staffs consult to insure that management of wildlife habitats in the refuge, Walrus Island sanctuary and nearby tidelands employ consistent rationales.

We also suggest clarifying lead-in sentences to the guidelines on page 105, paragraphs 5 and 6; and page 107, paragraphs 1-6 so that restrictions are tied to federal lands, not tidelands. DNR manages the tidelands. Put guidelines in a section titled "FWS Management of Federal Lands" and delete reference to tidelands.

Add the following after the second full paragraph on page 108:

"DNR Management of State Owned Shorelands and Waters.

Management guidelines in Chapter IV, pages 47 and 50 apply to state owned shorelands and waters in this unit."

State representatives would like to meet with the FWS to review federal guidelines for management of FWS uplands at Maggie Beach and Lower Nanvak Bay (pages 104-108). The state acknowledges an

interest in developing guidelines for state owned tidelands at Cape Pierce that provide protection of marine mammals. The state may also need to designate specified areas at Cape Peirce as Special Use Lands and/or a Critical Habitat Area to implement guidelines that provide protection. If guidelines for tidelands are not developed in time to include in the final plan, the plan should include a recommendation for the state to continue work on this issue. We encourage FWS to maintain flexibility in the current plan so that the state and FWS can work together to implement a good strategy to protect marine mammals.

The specific boundaries of the Maggie Beach and Lower Nanvak Bay area where access restrictions on FWS land apply needs to be identified on the map on page 106. The map should be at a scale of 1:63,360 and note that the tidelands are managed by DNR.

Implementation and Recommendations

Several new provisions are described in Chapter III, Implementation and Recommendations, some of which are described below. Conducting annual meetings between concerned landowners and users in local communities should assist in the identification, discussion, and resolution of use conflicts. The need for more comprehensive and timely program of monitoring fishery resources and their uses is also identified. These recommendations, coupled with a more efficient system for amending the plan whenever relevant information becomes available, should greatly facilitate plan implementation.

We recommend, however, that the Southwestern and Western Regional Fish and Game Advisory Councils be included in the public involvement process. At a minimum, the local fish and game advisory committee representative on the corresponding regional council should be invited to attend the annual meetings and report back to the regional council. Section 805 of ANILCA specifies very clearly the roles and responsibilities of the regional councils, yet it appears that few steps have been taken to incorporate the members' knowledge and expertise in refuge plan implementation.

We also encourage coordination between the FWS, DFG, and local governments in designing and implementing subsistence fishery surveys (top of page 44). Consideration should be given to expanding these surveys to other species if similar data gaps will need to be filled when future step-down plans are implemented. There also is value in assessing annual fish harvest levels in the context of other subsistence harvests.

New Levels of Guided Sport Fishing Use

Management proposals now more appropriately focus on the number of people in guided sport fishing parties that are present on the river at any one time instead of placing limits on total guided use days. The FWS states that the intended purpose of these new

proposals is to: 1) disperse guided sportfishing use throughout the season instead of allowing effort to typically peak during the king and coho salmon runs, and 2) minimize the displacement of sportfishing guides to the lower sections of the major rivers which would result in greater subsistence use conflicts. This approach may also improve the monitoring and enforcement of guided sportfishing activities. One possible problem with this approach is that fishing pressure may increase on some small or especially vulnerable resident fish stocks (e.g., rainbow trout and grayling). An aggressive program for monitoring fish stocks and their use is essential for mitigation of this potential impact.

Guiding Opportunities for Local Residents

The need to provide guiding opportunities to local residents was an issue mentioned in several written and verbal comments on the plan and is acknowledged in this draft (pages 9, 33, and 184). However, the draft is not clear how FWS intends to provide increased guiding opportunities for local residents. At a minimum, we suggest that the discussion of the Prospectus on page 37 explain that the criteria are designed to give local residents reasonable opportunities to compete with existing guides.

Motorboat and Outboard Motor Horsepower Restrictions

We are encouraged that motorboat restrictions in Unit 9 have been rescinded in recognition of State management authorities and the provisions in ANILCA which provide for the continuation of traditional activities where resource damage cannot be documented. Fly-in and float boat access restrictions have also been reduced and/or rescinded in several planning units.

We continue to recommend that the 40 horsepower outboard motor restrictions for Units 2 and 3 be delayed until resource damage can be documented. The Department of Fish and Game (DFG) is unaware of resource damage in these two units. We again request that FWS defer the 40 horsepower restriction until the studies referenced on the top of page 45 are completed.

Camping Provisions

All public uses, including subsistence use, are affected by the state's management proposals for camping. Although improvements have been made in the final draft, it is still difficult in some instances to ascertain what uses and users are affected by some of the FWS management proposals. Do camping limits apply to subsistence users? This is largely the result of inconsistent plan format and language. In another example, it is clear that the three day camping limit in Unit 5 applies to both guided and non-guided recreational uses since a single sentence has been inserted describing the non-guided application. However, camping limits for Units 8 and 12, which are included in a section titled, "Sport Fish Guiding Camps and Recreation Facilities" do

not refer to any specific recreational uses or users. Specific recreational use applicability is also not clearly identified in camping limits for Unit 13. These provisions are in a section titled, "Recreational Use Levels" which describes other management proposals affecting sport fishing guides.

For clarity, we continue to recommend that similar language and terms be used for describing camping limit provisions for all planning units. For example, State provisions refer to use "taking place at one site for three consecutive days or less", while the FWS provisions refer to use "for up to three days at the same location".

FWS camping provisions in Units 5 and 10 specify that tent camps be moved a minimum of one mile when the time limits have been achieved to aid enforceability. For consistency, we feel there should be similar minimum distance moving requirements for all FWS management units, unless specific documentation can be provided which justify variations.

The use of consistent language and terms for describing these provisions, to the extent possible under existing authorities, should enhance their enforceability and understanding and acceptance by the public.

All Terrain Vehicles (ATV) Access

The discussion of ATV access in Unit 7 on page 107 states that "ATVs (other than snow machines during times of adequate snow cover) are not permitted on refuge uplands." This statement is inconsistent with provisions of the Alaska National Interest Lands Act (ANILCA) and the Record of Decision signed on February 12, 1987, which clarified and corrected statements made in the Comprehensive Conservation Plan regarding the use of these vehicles. These vehicles may be operated where use is traditional (pre-1980) or for access on designated areas, routes and trails. The PUMP needs to include specific commitments to study pre-1980 ATV use and designate, where appropriate, traditional and other statutorily protected access areas, routes or trails. We also recommend that recognition of this issue be included in the section titled "Existing Policy and Legislation for Managing Federal and State Lands and Waters within the Refuge" in Chapter I.

Wilderness Management Policies

We remain concerned that the policies regarding the use of motorized equipment for traditional activities are too restrictive and not consistent with provisions of ANILCA or recommendations by the Alaska Land Use Council. This issue was described in detail in the State's June 29, 1990 comments.

Definitions

The definition of boat storage site on page xi in the Internal Review Draft is different than the one used in previous drafts. The new definition ties boat storage sites to FWS permits. The Department of Natural Resources (DNR) also issues permits for boat storage on state owned shorelands. The definition on page xi should be replaced with the following:

Boat Storage Sites. Boat Storage sites are sites where any type of boat or water related craft is stored for longer than 3 consecutive days. These sites may or may not include a small tent for a guide to remain on location.

In previous comments we offered some minor changes to clarify the definition of "recreational fishing guide" (page xii). Although the FWS has not altered this definition, we feel that it should at least be consistent with the language used in the definition of "sport fishing guide". Thus we recommend that the definition of "recreational guide" read as follows: "a commercial operator who accompanies clients on the refuge for photography, sightseeing, or other activities not primarily related to hunting or fishing for either day or overnight trips".

Other Uses (e.g. Mining)

The discussion on page 2, paragraphs 9 through 12 of the PUMP needs to be strengthened and made more explicit. It should clarify that the PUMP focuses on public use of the fish and wildlife resources of the refuge and that activities associated with other uses, such as mining, are not subject to the guidelines in the PUMP, but are subject to provisions already established in the CCP. It should state that if additional restrictions are proposed on public use associated with other activities, they will be addressed through a separate process subject to public review.

Add the following to page 101 "Existing Resource Characteristics":

There are known platinum resources in Chagvan Bay in an old channel of the Salmon River that once drained into the Bay.

Add the following to page 136 "Resources Characteristics":

There are significant potential resources of platinum and gold, both on shore and in near offshore regions.

Other Commercial Use

The plan implies that a FWS permit is required for use of tidelands. This need to be clarified. We suggest replacing paragraph 3, page 64 and paragraph 2, page 100 with the following:

"Other Commercial Use

Applications for sites on federal lands associated with commercial set net fishing will be handled on a case by case basis. Each approved site will require a refuge special use permit. Only temporary structures such as tent platforms will be permitted on refuge lands. No permanent structures will be permitted. Uses of set net sites, and the structures associated with the site will be limited to the activities specified within the special use permit.

Activities on tidelands adjacent to federal uplands are subject to management by the Alaska Department of Natural Resources. Use of tidelands may require authorization from DNR."

Chronological Technical Comments

Page viii, paragraph 1, first sentence; and page 1, paragraph 5. Modify as follows: "This plan is intended to provide guidance for FWS management of federal lands within the Togiak boundaries and to:"

Pages ix and x, Executive Summary. The statement beginning on the bottom of page ix that the non-guided use allocation will not be made available to guides should be included on page 53 to clarify general Chapter V management proposals. It may be somewhat misleading to refer to a non-guided use "allocation" since the 50:50 division between guided and non-guided use is now defined as a long term goal.

Page 1, paragraph 5. Revise as follows:

This plan is intended to provide guidance for FWS management of federal land within the Togiak boundaries and to:

Page 8, paragraph 5. Revise first sentence as follows:

The draft plan presents a competitive bid system for allocating sport fish guiding permits on FWS managed federal lands in the refuge.

Page 14, paragraph 1. Revise heading on first paragraph as follows:

Process for Allocating Permits to Guides for Use of Federal Lands.

Page 15, Existing Recreational Activities on Togiak Refuge, first paragraph. The first sentence refers to "commercial sport fishing guide". The word "commercial" is superfluous and can be omitted since sport fishing guides are defined as commercial operators. This term is used several times in the plan.

Page 19, Final Sentence. While we welcome the improved presentation on existing subsistence uses and issues, the plan would be strengthened by explaining when and where non-fishery resource issues will be addressed. While recognizing that refuge public use management plans across the state may differ in their emphasis, it is helpful to specify whether comparable attention will be paid to these other issues.

Page 25, Shorelands, Tidelands, Submerged Lands and Watercolumns, sixth paragraph. We request that this paragraph be deleted. Sentence 3 in paragraph 5 should also be deleted. The state owns and has management authority over water. The draft fails to provide the rationale and/or authorization requested by the State in its June 29, 1990 comments on an earlier draft for FWS asserting jurisdiction in issuing special use permits under certain land ownership patterns of adjacent uplands. Also the discussion doesn't address another situation where FWS owns adjacent uplands on one side of a river without a formal navigability determination.

Page 29. Replace title of this Chapter with "FWS Public Use Goals and Objectives for Management of Federal Lands."

Page 29, paragraph 1. Revise first sentence as follows:

One of the primary needs of the public use planning process is to establish goals and objectives for the public use management program for federal lands of the Togiak Refuge.

Page 29, paragraph 1. Add the following:

Goals and objectives for DNR management of state owned shorelands and waters are identified in Chapter IV.

Page 32, paragraph 6. Replace second sentence with the following:

"The proposed allocation system applies only to federally owned lands within planning units 2, 3, 5, 6, 7, 9, 10, 12 and 13 as shown in Figure 3. See Chapter IV for guidelines that apply to state owned shorelands and waters within these units.

Page 39, Permit Award Schedule. Not all of the permits will be issued for a five year period as indicated. For example permits for Unit 13A and B will cover five summers whereas the permits for the other units will cover six summers.

Page 42, paragraph 4. Revise first sentence as follows:

The Department of Natural Resources is developing revised camp fee structure to accompany permits for all commercial users of state land and private use beyond 3 days.

Page 47, paragraph 6. This sentence should be deleted as it creates more questions than it answers.

Page 47, paragraph 7. Revise first sentence as follows:

The Alaska Department of Natural Resources may issue permits and leases for permanent camps and lodges, temporary base camps, floating facilities, boat storage sites, primitive tent sites, and other uses that occur at one site on state land for longer than three consecutive days.

Page 48, paragraph 5. Public use sites will be added to the plan, not documentation of a site. Once a site is added, the guidelines for public use sites become effective. To clarify this, revise second sentence to read: "Sites will be added to this plan as an amendment."

Page 48, paragraph 6. Revise second sentence as follows:

The term of the Alaska Department of Natural Resources lease or permit should not be longer than the term of the agreement between the applicant and the upland owner.

Page 48, paragraph 7. Revise second sentence as follows:

If the Alaska Department of Natural Resources issued a permit, it will require applicants to use areas that will reduce the likelihood of possible land ownership disagreements with upland owners (such as unvegetated gravel bars).

Page 49, paragraph 1. Change citation from "11 Alaska Administrative Code 96,010(a) (92)" to "Alaska Administrative Code 96.010(a) (2)."

Page 49, paragraph 4. Revise fourth sentence as follows:

Changes may be proposed by agencies, municipalities, or member of the public.

Page 51, paragraph 2. Replace with the following:

"This chapter includes guidelines for managing land and water in the refuge. Units 2, 3, 5, 6, 7, 9, 12 and 13

contain both federal lands and state shorelands. For this reason, guidelines for these units are divided into 2 sections: FWS management of federal lands, and DNR management of state owned shorelands and waters.

In units 1, 4, 8, 10 and 11 guidelines are provided only for management of state owned shorelands and waters. In these units, uplands are not owned by FWS but by Native corporations."

Page 53, first full paragraph. It is stated here that the estimates of guided use days have been revised upwards to include all people associated with the guiding operation who are present on the refuge. DFG reviewers are interested in historical public use trends on the refuge and request that the revised annual guided use day information be provided to them informally.

Page 53, next to last paragraph. For clarity, we propose that the "June 15 through September 15" reference be included in the description of camping limits in each applicable planning unit.

Page 54. Delete "Department of Natural Resources" from the heading at the top of this page.

Pages 57, 65, 74, 87, 93, 124, 129, 132, 142, and 147. Replace the sections that read "Proposed Management for State Owned Shorelands. Refer to Chapter IV pages 47 to 50." with the following:

"The Alaska Department of Natural Resources Management of State Owned Shorelands and Waters

Management guidelines in Chapter IV, pages 47 to 50 apply to state owned shorelands and waters in this unit."

Page 59, Resource Characteristics, Unit 2 - Kulukak River. The last sentence in the first paragraph states that char are the only known resident fish species present in the Kulukak River. Several other resident fish species probably inhabit this stream including grayling, whitefish and sculpin.

Page 63, Guided Sport Fishing Use Levels in Unit 2 - Kulukak River. There is a discrepancy in the proposed number of guided use days: 250 reported on this page and 350 reported in Table 23. Additional information should be provided regarding impacts on the fishery resources in this unit if the higher number is correct.

Pages 63, 72, 90, 97, 126, 146 and 150. The "Proposed Mangement" heading should be changed to read "FWS Management of Federal Lands". The statement(s) accompanying this heading should not contain any reference to a specific waterbody. DNR has management authority over waterbodies. Rewrite statements to read: "FWS management of federal lands in this unit will..."

Pages 64-65, Justification. Much of this discussion about motorboat impacts appears to be generic. If so, we suggest consolidating this information in the introductory section, e.g. page ix or in Chapter II. More generic motorboat discussion that could be consolidated occurs on page 74.

Page 75, paragraph 1. Add: "Shorelands in unit 5 are managed by DNR."

Page 87, paragraph 1. Replace sentences 5 and 6 with the following to remove unnecessary value judgements:

Numerous meetings have been held and there has been much discussion. This plan includes guidelines for the lower river that address these concerns to the extent possible given each agencies existing authorities.

Page 87, paragraph 2; page 122, paragraph 4; page 140, last paragraph. Revise as follows:

Implementation of a comprehensive cooperative agreement between the Alaska Department of Natural Resources, U.S. Fish and Wildlife Service, and the Native corporation could provide a longer term solution to the conflicts than the guidelines for shorelands that are included in this plan. A cooperative agreement is the only way the refuge would have authority to become involved directly in management of lands and waters in this unit.

Page 100 and page 152. Insert the following:

"The Alaska Department of Natural Resources Management of State Owned Shorelands and Waters

Management guidelines in Chapter IV, pages 47 to 50 apply to state owned shorelands and waters in this unit."

Page 101, Subsistence Uses in Unit 7. The statement in the third paragraph that walrus hunting in the State sanctuary (Walrus Islands) is closed to hunting should be changed to indicate that hunting is allowed in portions of the sanctuary (i.e., "The Twins").

Page 107, All Terrain Vehicle (ATV) Access. The first sentence doesn't make sense. As indicated in previous comments, the prohibition of ATVs on refuge uplands referenced in the second sentence is unwarranted unless research has shown that ATV use is not traditional (pre-1980).

Page 108, first full paragraph. The statement referring to a DFG proposal to close commercial fishing in the waters between Cape Peirce and Cape Newenham should be dropped. The Department has never submitted a formal proposal regarding this closure to the Alaska Board of Fisheries.

Page 110, paragraph 3. Revise the fourth sentence so that it reads as follows:

Shorelands on the Lower Kanektok, unit 8, are managed by the Alaska Department of Natural Resources.

Page 110, paragraph 3. Add the following at the end of the paragraph:

The Alaska Department of Natural Resources manages shorelands in Unit 9.

Page 118, Table 15 and page 139, Table 19. The Walker et al. reference cited in Footnote (a) of Table 15 does not appear in the bibliography. We suspect this also is the reference for subsistence data presented in Table 19. Footnote (b) in Table 15 and Footnote (a) in Table 19 include incomplete dates in the Mills citations.

Page 122, paragraph 5; page 142, paragraph 2. Replace the second sentence of these paragraphs with the following:

Guidelines for managing shorelands are identified in Chapter IV. Recommendations are included in Chapter III.

Page 132, paragraph 2. Land status in this unit is more complex than currently indicated. Rather than provide a summary, we suggest deleting this paragraph and including a reference to DNR management guidelines in Chapter IV.

Page 133, paragraph 1. Revise fifth sentence as follows:

Goodnews Bay Village Corporation and private allotment holders own most of the land adjacent to the river. The shorelands in Unit 11 are managed by the Alaska Department of Natural Resources.

Page 133, paragraph 1. Add the following at the end of the paragraph:

The Alaska Department of Natural Resources manages shorelands in Unit 12.

Page 148, fourth full paragraph, Public Use Characteristics-Unit 13 A and B. We recommend the following language as a more accurate rendition of information previously given to the FWS: "The Heart Lake vicinity has been identified as an area of special concern to Kwethluk residents. They maintain traditional spring and fall camps there, which serve as a base from which seasonal harvest activities are conducted. These include harvesting of brown bear, moose, waterfowl, small game and berries."

Page 151, Recreational Use Levels in Unit 13 A/B - Refuge Lakes.

Clarification should be made that the camping limits pertain to any single body of water in this unit.

Page 152, Justification, Unit 13 A/B - Refuge Lakes. A statement in the second paragraph indicates that guided fly-in use would not occur in any lake if other parties were observed at the lake. Clarification is requested on how this would be monitored and enforced.

Pages 153-155, including Table 22, Alternative A (Existing Situation). Information presented in Table 22 and in the corresponding text appears to be contradictory. The discussion of non-guided use in the final paragraph on page 153 says this use will not be limited. Table 22 presents the existing situation and specifies what appears to be maximum numbers of non-guided use days. Perhaps this can be resolved by clarifying that current use levels for non-guided use are depicted in Table 22, and do not represent upper limits.

Page 165, Anadromous Fish, Effects of Alternative B on the Biological Environment. The second sentence needs to be changed to indicate that guided sport fishing activities are not authorized under this alternative, but non-guided sport fishing activities are authorized.

Page 167, final paragraph, Alternative B (The Preferred Alternative). The Section 810 evaluation for Alternative B states there will be no significant increases in big game and waterfowl hunting activities under this alternative. We question the validity of this conclusion. The plan does not present data on current hunting levels in the refuge (one reason we have long preferred that this be referred to as a river or fishery management plan, which more accurately reflects its content). Is there any reason why fishing guides could not expand their operations to include guiding for big game and waterfowl? If this did occur, significant increases in harvest levels might well result. In this regard, we are concerned that if present guides are unable to expand their fishing operations, aren't they likely to consider making alternative uses of their facilities and expertise? Perhaps the FWS could respond to this concern.

Page 193, References. Just a technical suggestion: Distinctions should be made here and in the text between each of the "Alaska Dept. of Fish and Game 1990" citations (e.g., 1990a, 1990b, 1990c).

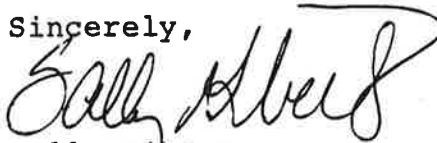
Page 235, paragraph 4. Delete this paragraph since the state owns and has management authority over waters.

Mr. George Constantino
Togiak Public Use Management Plan

December 19, 1990

Thank you for the opportunity to provide these comments. If you have any questions, please feel free to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sally Gibert".

Sally Gibert
State CSU Coordinator

cc: Dave Fisher, Refuge Manager

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December 19, 1990

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- [1372] Mr. Al Carson, Department of Fish and Game, Anchorage
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