

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

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April 3, 1991

Mr. Walter Stieglitz  
Regional Director  
US Fish and Wildlife Service  
1011 East Tudor Road  
Anchorage, AK 99503

Dear Mr. Stieglitz:

The State of Alaska has reviewed the final Public Use Management Plan (PUMP) for the Togiak National Wildlife Refuge. This letter represents the consolidated comments of the State's resource agencies.

The State is pleased to have participated with the U.S. Fish and Wildlife Service in this unprecedented joint planning effort. We also greatly appreciate that most of the State's concerns and comments have been adequately addressed. In particular, the State appreciates the effort to delineate the distinctions between State and federal management along State-owned navigable waterways and adjacent federally-owned uplands.

### Unit 7 - Cape Peirce/Cape Newenham

The final PUMP generally does a good job of indicating that federal management provisions apply only to refuge uplands. In this unit, however, this distinction has not yet clearly been made. Tidelands and off-shore submerged lands and waters are managed by the State. We request that the Record of Decision (ROD) and subsequent public information materials clearly explain that federal management provisions for this unit apply to refuge uplands only. The ROD should also say that the State and FWS agree to work together to develop management options for State-owned tidelands and waters to provide consistent management with refuge uplands and to ensure that important wildlife resources in the area are protected.

When public information materials and maps are prepared for this area, we suggest that the Cape Newenham State Game Refuge (map attached) be described and/or illustrated. This State refuge includes tide and submerged lands in Chagvan Bay and is located directly adjacent to this planning unit.

### Forty Horsepower Motorboat Restriction

The State opposes any federal regulation of access on State waters unless the federal land manager can document that such use would be detrimental to the adjacent federal uplands, consistent with ANILCA Section 1110(a). We therefore oppose the 40 HP restriction proposed for Unit 2 and 3 streams until studies are available that determine resource damage is occurring from the use of larger size outboard motors. This recommendation is also consistent with the recommendation in Alternative A that a study be conducted to determine the effect of outboard and jet drive motors on stream erosion and the survival of salmon eggs and alevins. As the final plan notes, such a study elsewhere in Alaska has recently been initiated by the National Park Service and the University of Alaska.

A more thorough socio-economic analysis should also precede such restrictions, and should include the number of boat operators currently using Unit 2 and 3 streams that have motors over 40 HP.

### Camping Limits

In the draft PUMP, the length of camping limits for federal and State lands were different. In response to comments calling for more consistency, the camping limit length is now the same for both (3 days). Differing State and federal laws and mandates have, however, prevented complete consistency, such as applicability to subsistence users. Under these circumstances, subsequent public information efforts must continue to clearly and accurately portray the details of these camping provisions to minimize public confusion and enforcement difficulties. We also expect that as the plan is implemented and monitored, additional opportunities to minimize remaining differences will continue to be explored.

Additionally, we suggest that subsequent public documents are even more clear about the applicability of federal camping provisions. Since the PUMP generally focuses on sport fishing activities, it would be helpful to more explicitly alert refuge visitors that the federal camping limits apply to all refuge users except those engaged in subsistence activities. It would also be helpful to further clarify that the federal camping limits apply to areas within 1/4 mile of the main stem of named waterways, as opposed to

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tributaries. To address these clarifications in the draft federal regulations (page 237), we suggest the following revision to the second sentence of #3:

Camping by all refuge users except subsistence users at one location is limited to three consecutive days from June 15 through September 15 on refuge lands within 1/4 mile of the main stem of the following waters.

Thank you for the opportunity to provide these comments. If you have any questions, please feel free to call me at 465-3562 or Sally Gibert at 561-6133.

Sincerely,



Paul C. Rusanowski, PhD.  
Director

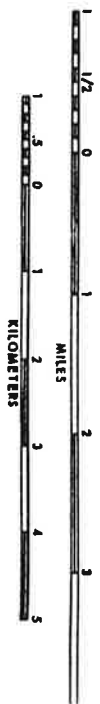
cc: Aaron Archibeque, Togiak Refuge Manager  
Harold Heinze, Commissioner, Dept. of Natural Resources  
Carl Rosier, Commissioner, Dept. of Fish and Game  
John Sandor, Commissioner, Dept. of Environmental Conservation  
Frank Turpin, Commissioner, Dept. of Transportation and Public  
Facilities

csul/fws/tt

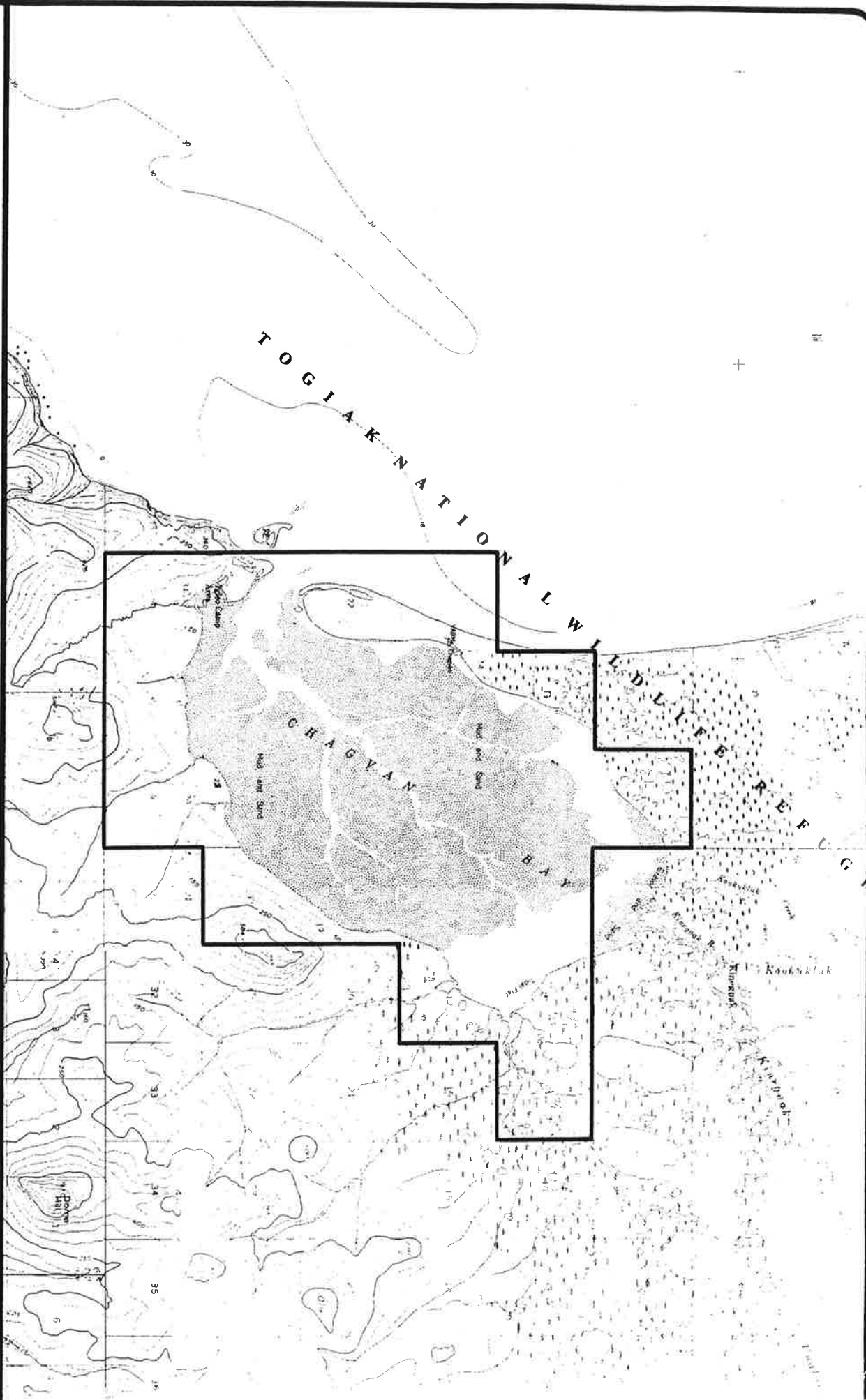


HABITAT DIVISION  
JULY 1963

CAPE NEWENHAM  
State Game Refuge



SCALE 1:63,360



**TOGIAK FINAL PUMP  
DISTRIBUTION LIST**

**April 16, 1991**

Al Carson, Department of Fish and Game, Anchorage

Ron Regnart, Department of Fish and Game, Anchorage

Pricilla Wohl, Department of Environmental Conservation, Anchorage

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Tina Cuning, Department of Fish and Game, Nome

Terry Haynes, Department of Fish and Game, Fairbanks

John Katz, Office of the Governor, Washington

Stan Leaphart, Citizens Advisory Commission on Federal Areas, Fairbanks

George Constantino, U.S. Fish and Wildlife Service, Anchorage

Curt McVee, Alaska Land Use Council, Anchorage

Arnold Archibeque, Togiak National Wildlife Refuge, Dillingham