

during the fall hunting season from August 1 through November 15, annually. All are popular camping areas during hunting season and conflicts were reported to have occurred between hunting parties using these areas. The camping limits were selected to ensure that no one party monopolizes a prime hunting area and that various members of the public can all have an opportunity to visit these locations. It is not likely to cause hardship to those users as the average fall hunting trip is seven days or less.

Camping limits do not apply to subsistence users at five of the six locations as reported conflicts have been between different parties of sport hunters or sport hunters and subsistence hunters. However, in the Big Creek area, conflicts have been reported among subsistence hunters. The area is located immediately adjacent to the two largest communities in the refuge complex area, Naknek and King Salmon. Most of the camping is by local residents. There is also substantial day-use by local residents engaged in subsistence activities along Big Creek.

Subsection 36.39(c)(4) addresses temporary facilities under authority of Section 1316 of ANILCA. Subsection 36.39(c)(4)(i) provides that temporary facilities shall be authorized by special use permits.

Under subsection 36.39(c)(4)(ii) new temporary facilities are prohibited within 1/4 mile of the Becharof Lake shoreline other than for subsistence or administrative purposes. Subsistence is a purpose of the refuge complex and having temporary camps located by others within this subsistence use area would have the potential to adversely affect subsistence activities of rural residents of the area. There are currently some sort of facilities, including abandoned structures which could be used in an emergency, located every few miles around the 100+ mile circumference of the lake.

Subsection 36.39(c)(4)(iii) closes five areas of the refuge complex to temporary facilities other than for administrative use. The Regional Director found in the public use plan that location of additional temporary facilities would be a significant expansion of existing facilities which would be detrimental to the purposes for which the unit [refuge complex] was established. The proposed closed areas already contain a number of facilities and receive relatively high levels of public use. It is unlikely that additional facilities would be necessary in these areas and their presence would potentially affect subsistence and general public access to and use of the

areas. The closed areas were designed to be the minimum necessary to meet refuge complex purposes.

Gertrude Lake is approximately one mile long and the entire shoreline is clearly visible from any place along the lake. Placing a temporary facility at this popular hunting location would, in effect, "privatize" the lake—detering others from using the area. Long Lake is a similar situation and is also on the boundary with Katmai National Park. The airstrip at the confluence of Gertrude Lake and King Salmon River is a small undeveloped landing area. If a facility were constructed adjacent to the strip, other users would likely be displaced from the area.

Upper and Lower Ugashik Lakes present a situation similar to Becharof Lake except they are smaller and contain relatively more facilities. There are several parcels of private land adjacent to the lakes and facilities present include numerous cabins, a lodge and other private developments. Locating additional facilities on public lands would likely affect use and enjoyment of refuge complex resources.

The Becharof Lake outlet area contains private and refuge complex lands. There are several facilities present in this area. Becharof Lake outlet is readily accessible by boats and aircraft. Additional facilities would detract from other refuge complex uses.

The prohibition on temporary facilities along Big Creek is in addition to the limit on camping. As stated before, Big Creek is very close to King Salmon and Naknek and receives substantial day use. Temporary facilities would potentially restrict use of important hunting areas by residents and visitors.

Request for Comments

A complete public involvement process was conducted during the development of the Alaska Peninsula/Becharof plan and the environmental assessment that accompanied the draft plan. As stated earlier in this document, public meetings were held in all refuge complex area communities, Kodiak and Anchorage during preparation of the draft and final public use management plans. Public comments received were reviewed and considered prior to drafting these proposed regulations.

As stated in the final public use plan, in addition to accepting written public comments regarding the proposed regulations, public hearings will be held during the public comment period. All relevant comments received in writing or at public hearings will be reviewed and considered prior to preparing the final regulations. During the 60-day

public review period public hearings will be held in Chignik Bay, Chignik Lake, Chignik Lagoon, Egegik, Ivanof Bay, Naknek, Perryville, Pilot Point, Port Heiden, and South Naknek, Alaska.

Conformance With Statutory and Regulatory Authorities

The impact of these proposed regulations on subsistence uses has been evaluated as required by Section 810 of ANILCA. A subsistence evaluation was included in the public use management plan environmental assessment and the Regional Director found that the plan would not significantly restrict subsistence use on the Alaska Peninsula/Becharof National Wildlife Refuge Complex. Subsistence uses and access are expected to differ little, if any, from existing uses. The regulations are consistent with the purposes and intent of Section 810 and will result in no significant restrictions on subsistence uses.

These proposed regulations are consistent with the purposes for which the Alaska Maritime, Alaska Peninsula and Becharof national wildlife refuges were established. A compatibility determination was approved for the public use management plan.

Paperwork Reduction Act

This proposed rule does not contain collections of information that require approval by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.)

National Environmental Policy Act

An environmental assessment accompanied the draft public use management plan. On May 21, 1994, a Decision Notice and Finding of No Significant Impact was signed by the Regional Director. Copies of these documents may be obtained from the Alaska Peninsula/Becharof National Wildlife Refuge Complex, P.O. Box 277, King Salmon, Alaska 99613. Telephone: (907) 246-3339. No further documentation is required by the National Environmental Policy Act (42 U.S.C. 4321-4347).

Economic Effects

This rulemaking was not subject to the Office of Management and Budget review under Executive Order 12866. In addition, a review under the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.) has been done to determine whether the proposed rulemaking would have a significant effect on a substantial number of small entities, which include businesses, organizations or governmental jurisdictions. This proposed rule would have minimal