

# Draft Compatibility Determination

## Title

Draft Compatibility Determination for Bicycling, Kootenai National Wildlife Refuge

## Refuge Use Category

Outdoor Recreation (General)

## Refuge Use Type(s)

Bicycling (including e-bikes)

## Refuge

Kootenai National Wildlife Refuge

## Refuge Purpose(s) and Establishing and Acquisition Authority(ies)

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U. S. C 715 et. seq. (Migratory Bird Conservation Act of 1929).

“... suitable for (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. 460k-1 (Refuge Recreation Act [16 U.S.C. 460k-460k-4], as amended)

“... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. 460k-2 (Refuge Recreation Act [16 U.S.C. 460k-460k-4], as amended)

“... for the development, advancement, management, conservation, and protection of fish and wildlife resources ...” 16 U.S.C. 742f(a)(4)

“... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ...” 16 U.S.C. 99 742f(b)(1) (Fish and Wildlife Act of 1956).

## National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as Refuge System, is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans (Pub. L. 105-57; 111 Stat. 1252).

## Description of Use

Is this an existing use?

Yes. This compatibility determination (CD) reviews and replaces, as a stand-alone CD, bicycling activities as a portion of the 2011 CD Wildlife Observation and Photography, Interpretation, and Environmental Education on Kootenai National Wildlife Refuge.

What is the use?

We propose to allow bicycling on public roadways within Kootenai National Wildlife Refuge.

Is the use a priority public use?

No

Where would the use be conducted?

Bicycling is allowed only on designated public roadways open to public motor vehicle travel, including the entrance road, Auto Tour route, and county roads (subject to county regulations) that traverse portions of the Refuge. Bicycles are not allowed on any trails or service roads.

Entry on to all or portions of the Refuge may be temporarily suspended and posted closed due to unusual or critical conditions affecting land, water, vegetation, wildlife populations or public safety.

When would the use be conducted?

Bicycling can occur throughout the year on Refuge roads open to public access and designated trails from sunrise to sunset. Bicycling occurs primarily March through October.

How would the use be conducted?

Bicycling on the Refuge will be conducted in accordance with the stipulations necessary to ensure compatibility. Bicycle travel will be limited to public use roads.

This compatibility determination does not include organized or competitive events. Organized groups, competitive events, and/or group training for any type of use, including bicycling, may be considered for a Special Use Permit (SUP) by the Refuge Manager on a case-by-case basis.

Each request for a SUP (if warranted) will be evaluated for impacts to wildlife, habitats, and other Refuge resources; and priority wildlife-dependent public uses. Conditions may be added to the SUP on a case-by-case basis to minimize the anticipated impacts to resources, and to ensure that any impacts which cannot be

avoided, minimized, or mitigated remain temporary and negligible. Some requests may require further analysis of the impacts of the proposed activity on special status species or cultural resources, which may require additional compliance with the National Environmental Policy Act (NEPA), and consultation under any other relevant laws.

If the use conflicts with Refuge resources, Refuge management programs, or priority wildlife-dependent public uses, the participant(s) must identify in advance the methods/strategies required to minimize or eliminate the potential impact(s) and conflict(s). If unacceptable impacts cannot be avoided, then a SUP would not be issued.

Why is this use being proposed or reevaluated?

Bicycling at the Refuge was previously determined to be compatible (USFWS 2011). The use is being re-evaluated in accordance with Service policy, 603 FW 2.11H(2).

### **Availability of Resources**

Maintenance of the Auto Tour Road and entrance road incur costs, but costs are not directly related to bicycling since facilities are shared with other priority public uses. The Auto Tour Road is routinely maintained for vehicle activity and foot travel associated with priority public uses. Adequate staffing and budget exist for monitoring and law enforcement for current levels of use. Since these outdoor recreational activities will be restricted to the graveled Auto Tour Road, no additional expense is anticipated to manage their current level of use.

### **Anticipated Impacts of the Use**

This CD includes written analyses of the environmental consequences on a resource when the impacts on that resource could be more than negligible and therefore considered an “affected resource.” Air quality, water quality, flood plains, cultural resources, geology and soils, and socioeconomics will not be more than negligibly impacted by the action and have been dismissed from further analyses.

**Potential impacts of a proposed use on the Refuge's purpose(s) and the Refuge System mission**

Bicycling is not a priority public use on Service lands and is generally conducted for sport and recreation. However, bicycling can provide access to compatible wildlife-dependent recreational opportunities whereby visitors can enjoy the Refuge's resources and gain or increase their understanding of and appreciation for fish, wildlife, wildlands ecology, the relationships of plant and animal populations within the ecosystem, and wildlife management. This use will provide opportunities for visitors to directly observe and learn about wildlife and habitats at their own pace in an unstructured environment. This use will enhance the public's understanding of

natural resource management programs and ecological concepts to enable them to better understand the problems facing natural resources and to realize what impact the public has on wildlife resources. Additionally, the public can learn about the Service's role in conservation and better understand the biological facts upon which Service management programs are based, consequently fostering an appreciation for the importance of wildlife and habitats. Participation in this use is expected to contribute to a more informed public, with an enhanced stewardship ethic and greater support for wildlife conservation. Furthermore, this use will provide an intrinsic, safe, outdoor recreational opportunity in a scenic setting, with the realization that those who come strictly for recreational enjoyment will be enticed to participate in the more enhanced facets of the visitor use program and can then become informed supporters for wildlife conservation. By allowing this use, we will provide opportunities and facilitate programs in a manner and at locations on the Refuge that offer high quality, wildlife-dependent recreation while maintaining the current levels or increased levels of natural resource values.

Therefore, use of Kootenai National Wildlife Refuge for bicycling is expected to benefit and promulgate the Refuge's purpose and the Refuge System's mission.

### Short-term impacts

All visitors can cause structural damage to plants and increase soil compaction and erosion. These effects are unlikely to occur on the well-defined, graveled roads on the Refuge where bicycling is permitted. Although bicyclists are required to remain on public roadways, some users may leave the road and use trails that are open to foot traffic only, or go off-trail. Impacts of off-road and trail bicycling include destruction of plants, soil compaction or erosion, wildlife disturbance, and conflicts with visitors on foot. Although there have been sightings of bicyclists on foot trails or going off-road, dense vegetation, uneven terrain, the presence of ticks and mosquitos, and Refuge law enforcement have discouraged most bicyclists from entering prohibited areas. The well-maintained Auto Tour Route provides a preferred surface for recreational bicyclists, particularly when off-trail areas are wet or muddy.

The roads on Kootenai NWR provide a good opportunity for visitors to observe wildlife at a distance, resulting in negligible behavioral effects on wildlife and habitat from human disturbance. Since wild animals show greater flight response to humans moving unpredictably than to humans following a distinct path (Gabrielsen and Smith 1995), the effects of human disturbance can be reduced by restricting bicycling and other human activity to an established trail and having disturbance-free nesting and foraging areas for wildlife (Korschgen and Dahlgren 1992, Fox and Madsen 1997). Restricting bicyclists to well-defined paths such as public roadways and established trails reduces the potential impact of bicycling. Limiting group size also decreases disturbance from this use, since group size has been found to increase wildlife response to disturbance (Geist et al. 2005, Yosef 2000).

The impacts from this use are expected to be minor, due to the relatively low level of

use, the relatively large size of the Refuge, and stipulations imposed on the use. This use would occur on public roadways and therefore generally cause negligible animal mortality or disturbance, or habitat destruction; no introduction of contaminants; and no introduction of non-native species.

### Long-term impacts

Human uses can result in habitat modification and can create disturbances to wildlife. The severity of disturbances vary with the wildlife species involved and the type, level, frequency, duration, and the time of year such activities occur. Disturbances can compound seasonal stressors in wildlife. Examples include regularly flushing birds during nesting, exposing juvenile animals to greater predation levels, or causing mammals to flee during winter months. These disturbances can cause large amounts of stored fat reserves to be consumed. Although bicycling has the potential to cause flushing of birds from important breeding and foraging habitats, bicycling on public roadways is not anticipated to cause large disturbances to wildlife as long as riders stay predictably on the designated paths and do not directly approach wetlands or areas where wildlife congregate. This will potentially allow wildlife to habituate to the use.

Bicycling on the Refuge could lead to long-term changes in wildlife use patterns, through either avoidance or habituation, and therefore has the potential to affect wildlife populations in the long term. However, we anticipate the long-term adverse impacts would be minor, even with the increasing number of bicyclists. Limiting group size and restricting these activities to public roads will reduce the impact of bicyclists and allow wildlife in the area to habituate to the use. Educating the public on the effects of recreation on wildlife and habitat should also help prevent the majority of negative impacts for these user groups. The majority of the Refuge provides protected habitats and wildlife sanctuary largely free from human disturbance.

## Public Review and Comment

The draft compatibility determination will be available for public review and comment for 14 calendar days to provide comments following the day the notice is published. The public will be made aware of this comment opportunity through our social media outlets and letters to potentially interested parties. A hard copy of this document will be posted at the Refuge Headquarters at 287 Westside Road, Bonners Ferry, ID 83805. It will be made available electronically on the Refuge website (<https://www.fws.gov/refuge/kootenai/>). Please let us know if you need the documents in an alternative format. Concerns expressed during the public comment period will be addressed in the final Compatibility Determination.

## Determination

Is the use compatible?

Yes

### **Stipulations Necessary to Ensure Compatibility**

1. Bicycling is restricted to the roads open to public motor vehicle travel, including the entrance road and Auto Tour Route.
2. Groups will be limited to 6 or fewer people.
3. Organized groups of more than 6 individuals, competitive events, and/or group training for any of these uses may be considered for a Special Use Permit by the Refuge Manager on a case-by-case basis.
4. The permittee and all associated personnel agree to conduct activities in a safe manner, in compliance with all Refuge regulations and policies, and with precaution to avoid damage to resources, property, or personnel. Refuge staff will not be held responsible for loss of, or damage to, equipment.
5. A copy of Special Use Permit must be in the permittee or associate's possession at all times while exercising the privileges of the Permit. A copy of the Permit must be shown to any USFWS employee or Federal law enforcement officer upon request.
6. Failure to abide by any part of the Special Use Permit; violation of any Refuge-related provision or Code of Federal Regulations; or violation of any pertinent State regulation (e.g., fish or game violation) will, with due process, be considered grounds for revocation of the permit and could result in denial of future permit requests for lands administered by the USFWS. This provision applies to all persons working under the authority of the permit.
7. To ensure safety, bicycling is restricted to daylight hours only.
8. Posted directional, regulatory, and interpretive signs will be maintained to keep visitors on roads and trails, as well as inform the public on minimizing wildlife and habitat disturbance.
9. Regulations will be available at information kiosks on site and through a Refuge brochure, and will be posted on the Refuge website. Regulations are also available by contacting Refuge staff for information.
10. Refuge staff and volunteers will monitor uses to ensure compatibility, refine user estimates, and evaluate compliance. Potential conflicts between user groups will also be evaluated.

### **Justification**

Bicycling, as outlined in this compatibility determination, would not conflict with national policy to maintain the biological diversity, integrity, and environmental

health of Kootenai NWR. Based on the stipulations outlined above, it is anticipated that wildlife populations will find sufficient food resources and resting places such that their abundance and use of the Refuge will not be measurably lessened as a result of allowing bicycling on Kootenai NWR. The relatively limited number of individual animals expected to be adversely affected as a result of bicycling will not cause wildlife populations to materially decline, the physiological condition and production of species present will not be impaired, their behavior and normal activity patterns will not be altered dramatically, and their overall welfare will not be negatively impacted. Based on available science and best professional judgement, the Service has determined that bicycling at Kootenai NWR, in accordance with the stipulations provided here, would not materially interfere with or detract from the National Wildlife Refuge System mission or the purposes of the Refuge. Rather, appropriate and compatible bicycling would be a use of Kootenai NWR through which the public can develop an appreciation for wildlife and wild lands.

## **Signature of Determination**

Refuge Manager Signature and Date

## **Signature of Concurrence**

Assistant Regional Director Signature and Date

## **Mandatory Reevaluation Date**

2033

## **Literature Cited/References**

Fox, A.D., and J. Madsen. 1997. Behavioral and distributional effects of hunting disturbance on waterbirds in Europe: Implications for refuge design. *Journal of Applied Ecology*, 34 (1) 1-13.

Gabrielson, G. W. and E. N. Smith. 1995. Physiological responses of wildlife to disturbance. 95 107 in R. L. Knight and K. J. Gutzwiller, ed. *Wildlife and Recreationists: coexistence through management and research*. Island Press, Washington, D. C. 372 pp.

Geist, C., J. Liao, S. Libby, and D.T. Blumstein. 2005. Does intruder group size and orientation affect flight initiation distance in birds? *Animal Biodiversity and Conservation* 28.1 69-73.

Korschgen, C. E., and R B. Dahlgren. 1992. Human disturbances of waterfowl: causes, effects, and management. 13.2.15. *Waterfowl Management Handbook*. Fish and Wildlife Leaflet 13. U.S. Fish and Wildlife Service.

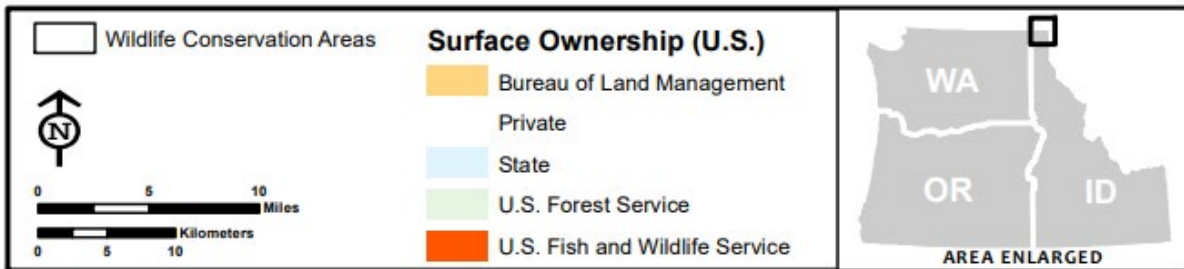
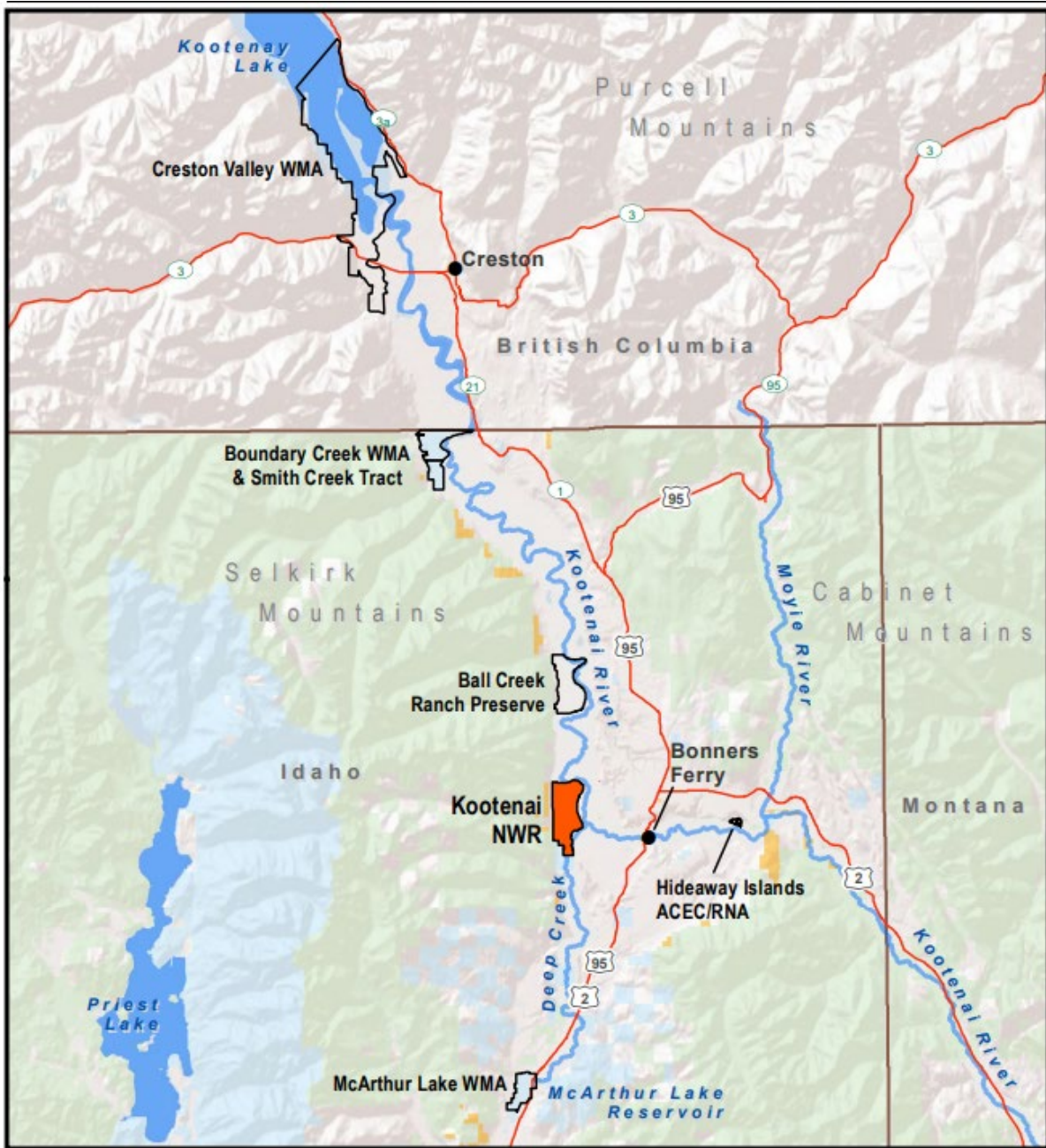
USFWS. (U.S. Fish and Wildlife Service) 2011. *Comprehensive Conservation Plan and Environmental Assessment for the Kootenai National Wildlife Refuge*. U.S. Fish and Wildlife Service, Region 1, Portland, OR.

Yosef, R. 2000. Individual distances among greater flamingos as indicators of tourism pressure. *Waterbirds* 23 (Special Publication 1), 26-31.



Figure(s)

Map of Kootenai National Wildlife Refuge.



Map Date: 9/20/2011 File: 11-071-8.mxd  
 Data Source: ESRI StreetMap North America, ShadedRelief\_World\_2D, BLM Surface Ownership