

Draft Compatibility Determination

Title

Draft Compatibility Determination for Cross-country Skiing and Snowshoeing, Kootenai National Wildlife Refuge.

Refuge Use Category

Outdoor Recreation (General)

Refuge Use Type(s)

Cross-country Skiing
Snowshoeing

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, cross-country skiing and snowshoeing as a portion of the 2011 CD Wildlife Observation and Photography, Interpretation, and Environmental Education on Kootenai National Wildlife Refuge).

What is the use?

Cross-country Skiing and Snowshoeing. These activities can, and often do, occur while visitors are engaging in the priority public uses of wildlife observation, photography, and interpretation during the winter months.

Is the use a priority public use?

No

Where would the use be conducted?

This use is allowed on designated public roadways open to public motor vehicle travel, including the entrance road, Auto Tour Route, county roads (subject to county regulations), and trails that traverse portions of the Refuge. The majority of the activities take place along Refuge roads and established trails; however, off-trail cross country skiing and snowshoeing is permitted.

Entry 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?

This use is allowed in areas of the Refuge open to the public from November 1 through March 31.

How would the use be conducted?

Cross-country skiing and snowshoeing on the Refuge will be conducted in accordance with the stipulations necessary to ensure compatibility. The average group size is one to four participants. Group size is limited to 10 or fewer people for all activities without requiring a Special Use Permit (SUP). Organized groups, competitive events, and/or group training for these uses may be considered for a 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 will be added to the SUP on a case-by-case basis to minimize the anticipated impacts to resources from cross-country skiing or snowshoeing, 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 a use conflicts with Refuge resources, Refuge management programs, or priority wildlife-dependent 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 an SUP would not be issued.

Why is this use being proposed or reevaluated?

Cross-country skiing and snowshoeing at the Refuge were previously determined to be compatible (USFWS 2011). These uses are being re-evaluated in accordance with Service policy, 603 FW 2.11H(2).

Availability of Resources

The analysis of cost for administering and managing each use will only include the incremental increase above general operational costs that we can show as being directly caused by the proposed use. As a self-guided activity, this non-priority public use is designed to be administered with minimal Refuge resources and can be managed with existing staff resources. Maintenance of the roads and other trails incur costs, but costs are not directly related to cross-country skiing and snowshoeing since facilities are shared with other priority public uses. No improvements are needed or planned.

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, and geology and soils 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

Cross-country skiing and snowshoeing are not priority public use on Service lands,

but because of the size, remoteness, and quality of roads and trails within the Refuge, these uses support or enhance priority wildlife-dependent uses, including hunting, fishing, wildlife observation, and wildlife photography. They provide opportunities for visitors to enjoy the Refuge's resources, to 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. These uses will provide opportunities for visitors to directly observe and learn about wildlife and habitats at their own pace in an unstructured environment. These uses 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 these uses 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 these uses with the stipulations described below, 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 cross-country skiing and snowshoeing is expected to benefit and promulgate the Refuge's purpose and the Refuge System's mission.

Short-term impacts

All trail users can cause structural damage to plants and increase soil compaction and erosion. These effects are unlikely to occur on the well-defined, gravel surfaces of the public roadways and Refuge service roads that may be used by the public as trails. Effects from cross-country skiing and snowshoeing would be negligible since these occur when vegetation is dormant and soils are frozen and/or snow-covered. These uses are assessed as having minimal short-term effects to vegetation and soils.

Cross-country skiing and snowshoeing can cause wildlife disturbance. The severity of disturbance varies with the wildlife species involved and the type, level, frequency, duration, and the time of year such activities occur. However, these impacts are unlikely to occur due to the small number of visitors who engage in these activities and the deep snow that usually covers the northern end of the marsh.

Overall, the short-term impacts from these uses is expected to be minor, due to the

low level of anticipated use, the size of the Refuge, and stipulations imposed on the use. These uses would generally cause negligible animal mortality or disturbance, or habitat destruction; no introduction of contaminants; and no introduction of non-native species.

Long-term impacts

The structural damage to plants, soil compaction, and erosion caused by trail use have the potential to cause cumulative long-term effects to Refuge resources. However, long-term effects to vegetation and soils from cross-country skiing and snowshoeing would be negligible since these occur when vegetation is dormant and soils are frozen and/or snow-covered.

Cross-country skiing and snowshoeing could lead to long-term changes in wildlife use patterns, through either avoidance or habituation. 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. Therefore, when combined with other visitor activities in the public use, there is potential for cross-country skiing and snowshoeing to lower individual fitness or reproductive success, affecting wildlife populations in a localized area.

However, due to the size of the Refuge and the low numbers of participants in these activities, long-term effects on wildlife populations or distribution is expected to be negligible. If these uses were to increase substantially, they will be reevaluated to determine if additional restrictions are needed to keep impacts at current levels.

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 located 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. Cross-country skiing and snowshoeing visitors are required to stay within designated use areas.
2. Groups will be limited to 10 or fewer people.
3. Organized groups of more than 10 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. Directional, informational, and interpretive signs will be posted and maintained to keep visitors on roads and trails as well as help educate the public on minimizing wildlife and habitat disturbance.
8. To ensure safety, cross-country skiing and snowshoeing is restricted to daylight hours only.
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

Cross-country skiing and snowshoeing, 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 cross-country skiing and snowshoeing on Kootenai NWR. The relatively limited number of individual animals expected to be adversely affected as a result of cross-country skiing and snowshoeing 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 cross-country skiing and snowshoeing 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 cross-country skiing and snowshoeing 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

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.

Figure(s)

Map of Kootenai National Wildlife Refuge.

