

## Appendix B: Appropriate Use and Compatibility Determinations

In this appendix:

[Appropriate Use Determinations](#)  
[Compatibility Determinations](#)

Throughout this document, five national wildlife refuges are discussed individually—such as the Gravel Island NWR or the Green Bay NWR. This document also discusses all five NWRs collectively as one entity and when doing so, refers to the group as the “Great Lakes islands refuges” or “Great Lakes islands NWRs.”

Further, several appropriate use and compatibility determination documents in this appendix may include any of the following references, spelled out or abbreviated:

- U.S. Fish and Wildlife Service (FWS, Service)
- National Wildlife Refuge System (NWRS, System)
- National Wildlife Refuge (NWR, Refuge)
- Comprehensive Conservation Plan (CCP)
- Environmental Assessment (EA)
- Department of Natural Resources (DNR)
- U.S. Coast Guard (USCG)

This appendix provides the following Appropriate Use Determinations and Compatibility Determinations listed for each national wildlife refuge.

### Appropriate Use Determinations

#### Gravel and Green Bay NWRs

- [Special Events \(non-refuge sponsored\)](#)
- [Research](#)
- [Commercially Guided Wildlife and Wildland Tours and Activities](#)

#### Harbor Island NWR

- [Mushroom and Berry Picking](#)

#### Michigan Islands NWR

- [Research \(includes Huron NWR and Harbor Island NWR\)](#)

## Compatibility Determinations

### Gravel and Green Bay NWRs

- [Hunting](#)
- [Environmental Education and Interpretation](#)
- [Wildlife Observation and Photography \(including means of access\)](#)
- [Special Events \(non-refuge sponsored\)](#)
- [Research](#)
- [Commercially Guided Wildlife and Wildland Tours and Activities](#)

### Harbor Island NWR

- [Environmental Education and Interpretation](#)
- [Wildlife Observation and Photography \(including means of access\)](#)
- [Hunting](#)
- [Mushroom and Berry Picking](#)

### Huron NWR

- [Wildlife Observation and Photography \(including means of access\)](#)
- [Environmental Education and Interpretation](#)

### Michigan Islands NWR

- [Priority Wildlife-dependent Recreational Uses \(Hunting, Fishing, Wildlife Observation and Photography, Environmental Education and Interpretation\) on Scarecrow, Thunder Bay, Sugar, Big Charity and Little Charity Islands](#)
- [Research \(includes Huron NWR and Harbor Island NWR\)](#)

## Appropriate Use Determinations

The Service's Appropriate Use policy describes the initial decision process a Refuge Manager follows when first considering whether or not to allow a proposed use on a refuge. The Refuge Manager must first find a use to be appropriate before undertaking a compatibility review of the use and outlining the stipulations of the use.

This policy clarifies and expands on the compatibility policy (Service Manual, 603 FW 2.10 D (1)), which describes when Refuge Managers should deny a proposed use without determining compatibility. If we find a proposed use is not appropriate, we will not allow the use and will not prepare a compatibility determination. By screening out proposed uses not appropriate to the refuge, the Refuge Manager avoids unnecessary compatibility reviews. By following the process for finding the appropriateness of a use, we strengthen and fulfill the Refuge System mission. Although a refuge use may be both appropriate and compatible, the Refuge Manager retains the authority to not allow the use or modify the use.

Background for this policy as it applies to the Great Lakes islands refuges is in the following statutory authorities:

- *National Wildlife Refuge System Administration Act of 1966* (Administration Act), as amended by the *National Wildlife Refuge System Improvement Act of 1997* (16 U.S.C. 668dd-668ee) (Improvement Act). This law provides the authority for establishing policies and regulations governing refuge uses, including the authority to prohibit certain harmful activities. The Administration Act does not authorize any particular use, but rather authorizes the Secretary of the Interior to allow uses only when they are compatible. The Improvement Act provides the Refuge System mission and includes specific directives and a clear hierarchy of public uses on the Refuge System.
- *Refuge Recreation Act of 1962*, (16 U.S.C. 460k). This law authorizes the Secretary of the Interior to allow public recreation in areas of the Refuge System when the use is an "appropriate incidental or secondary use."

This policy does NOT apply to:

- Situations where reserved rights or legal mandates provide we must allow certain uses.
- Refuge management activities. Refuge management activities conducted by the Refuge System or a Refuge System-authorized agent are designed to conserve fish, wildlife, and plants and their habitats. These activities are used to fulfill a refuge purpose(s) or the Refuge System mission, and are based on sound professional judgment.

Uses that have been administratively determined to be appropriate are:

- Six wildlife-dependent recreational uses. As defined by the Improvement Act, the six wildlife-dependent recreational uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation) are determined to be appropriate. However, the Refuge Manager must still determine if these uses are compatible.
- Take of fish and wildlife under state regulations. States have regulations concerning take of wildlife that includes hunting, fishing, and trapping. We consider take of wildlife under

such regulations appropriate. However, the Refuge Manager must determine if the activity is compatible before allowing it on a refuge.

Refuge uses must meet at least one of the following four conditions to be deemed appropriate:

- It is a wildlife-dependent recreational use of a refuge as identified in the Improvement Act.
- It contributes to fulfilling the refuge purpose(s), the Refuge System mission, or goals or objectives described in a refuge management plan approved after the Improvement Act was signed into law.
- The use involves the take of fish and wildlife under state regulations.
- The Refuge Manager has evaluated the use following the guidelines in this policy and found that it is appropriate. The criteria used by the manager to evaluate appropriateness are on each of the appropriate use forms included in this appendix. Also included under this condition are 'specialized uses,' or uses that require specific authorization from the Refuge System, often in the form of a Special Use Permit, letter of authorization, or other permit document. These uses do not include uses already granted by a prior existing right. We make appropriateness findings for specialized uses on a case-by-case basis.

## Gravel and Green Bay NWRs

### Finding of Appropriateness of a Refuge Use

**Refuge Name:** Gravel and Green Bay National Wildlife Refuges

**Use:** Special Events (non-refuge sponsored)

This exhibit is not required for wildlife-dependent recreational uses, forms of take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
Do we have jurisdiction over the use?	X	
Does the use comply with applicable laws and regulations (federal, state, tribal, and local)?	X	
Is the use consistent with applicable executive orders and Department and Service policies?	X	
Is the use consistent with public safety?	X	
Is the use consistent with goals and objectives in an approved management plan or other document?	X	
Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	X	
Is the use manageable within available budget and staff?	X	
Will this be manageable in the future within existing resources?	X	
Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	X	
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D. for description), compatible, wildlife-dependent recreation into the future?	X	

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the Refuge Manager has consulted with state fish and wildlife agencies.

Yes \_\_\_ No \_\_\_

When the Refuge Manager finds the use appropriate based on sound professional judgment, the Refuge Manager must justify the use in writing on an attached sheet and obtain the Refuge Supervisor's concurrence.

**Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:**

Not Appropriate \_\_\_ Appropriate  X

Refuge Manager:  /Steve Lenz/  Date:  7/20/2012

**Justification:** Disturbance to wildlife and habitat will be minimal since this use will occur on existing trails, be periodic, and relatively short duration. Wildlife disturbed will be displaced during the event, but should return to the areas affected quickly. Adjacent habitat is abundant for wildlife to use when disturbed. Stipulations in place will minimize disturbance, ensure control of the events, and contribute to the mission of the Refuge System by requiring an interpretive or environmental education component. This use will also expose large numbers of people to the refuge and help them gain a better understanding and appreciation of the refuge. These events are also consistent with the agency commitment to protecting and managing cultural resources in a spirit of stewardship for future generations to understand and enjoy. The number of events, and their size and scope, remains under the control of the Refuge Manager through the requirement of a Special Use Permit.

If found to be Not Appropriate, the Refuge Supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found Not Appropriate outside the CCP process, the Refuge Supervisor must sign concurrence.

If found to be Appropriate, the Refuge Supervisor must sign concurrence.

Refuge Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**A compatibility determination is required before the use may be allowed.**

## Finding of Appropriateness of a Refuge Use

**Refuge Name:** Green Bay and Gravel Island National Wildlife Refuges

**Use:** Research

This exhibit is not required for wildlife-dependent recreational uses, forms of take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
Do we have jurisdiction over the use?	X	
Does the use comply with applicable laws and regulations (Federal, State, tribal, and local)?	X	
Is the use consistent with applicable executive orders and Department and Service policies?	X	
Is the use consistent with public safety?	X	
Is the use consistent with goals and objectives in an approved management plan or other document?	X	
Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	X	
Is the use manageable within available budget and staff?	X	
Will this be manageable in the future within existing resources?	X	
Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	X	
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D. for description), compatible, wildlife-dependent recreation into the future?	X	

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the Refuge Manager has consulted with state fish and wildlife agencies.

Yes \_\_\_ No \_\_\_

When the Refuge Manager finds the use appropriate based on sound professional judgment, the Refuge Manager must justify the use in writing on an attached sheet and obtain the Refuge Supervisor's concurrence.

**Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:**

Not Appropriate \_\_\_ Appropriate  X

Refuge Manager:  /Steve Lenz/  Date:  7/20/2012

**Justification:** This use is appropriate provided that specific stipulations are implemented. Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities

occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

If found to be Not Appropriate, the Refuge Supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found Not Appropriate outside the CCP process, the Refuge Supervisor must sign concurrence.

If found to be Appropriate, the Refuge Supervisor must sign concurrence.

Refuge Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**A compatibility determination is required before the use may be allowed.**

**Finding of Appropriateness of a Refuge Use**

**Refuge Name:** Gravel and Green Bay National Wildlife Refuges

**Use:** Commercially Guided Wildlife and Wildland Tours and Activities

This exhibit is not required for wildlife-dependent recreational uses, forms of take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
Do we have jurisdiction over the use?	X	
Does the use comply with applicable laws and regulations (federal, state, tribal, and local)?	X	
Is the use consistent with applicable executive orders and Department and Service policies?	X	
Is the use consistent with public safety?	X	
Is the use consistent with goals and objectives in an approved management plan or other document?	X	
Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	X	
Is the use manageable within available budget and staff?	X	
Will this be manageable in the future within existing resources?	X	
Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	X	
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D. for description), compatible, wildlife-dependent recreation into the future?	X	

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the Refuge Manager has consulted with state fish and wildlife agencies.

Yes \_\_\_ No \_\_\_

When the Refuge Manager finds the use appropriate based on sound professional judgment, the Refuge Manager must justify the use in writing on an attached sheet and obtain the Refuge Supervisor's concurrence.

**Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:**

Not Appropriate \_\_\_ Appropriate  X

Refuge Manager:  /Steve Lenz/  Date:  7/20/2012

**Justification:** In accordance with the missions of the National Wildlife Refuge System, Green Bay NWR, and the 1997 Improvement Act, this use has been determined appropriate provided specific stipulations are implemented. This use will promote public awareness and stewardship

of the refuges' natural and cultural resources. It does not materially interfere with or detract from the Service's ability to meet the mission of the Refuge System.

If found to be Not Appropriate, the Refuge Supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found Not Appropriate outside the CCP process, the Refuge Supervisor must sign concurrence.

If found to be Appropriate, the Refuge Supervisor must sign concurrence.

Refuge Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**A compatibility determination is required before the use may be allowed.**

## Harbor Island NWR

### Finding of Appropriateness of a Refuge Use

**Refuge Name:** Harbor Island National Wildlife Refuge

**Use:** Mushroom and Berry Picking

This exhibit is not required for wildlife-dependent recreational uses, forms of take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
Do we have jurisdiction over the use?	X	
Does the use comply with applicable laws and regulations (federal, state, tribal, and local)?	X	
Is the use consistent with applicable executive orders and Department and Service policies?	X	
Is the use consistent with public safety?	X	
Is the use consistent with goals and objectives in an approved management plan or other document?	X	
Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	X	
Is the use manageable within available budget and staff?	X	
Will this be manageable in the future within existing resources?	X	
Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	X	
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D. for description), compatible, wildlife-dependent recreation into the future?	X	

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the Refuge Manager has consulted with state fish and wildlife agencies.

Yes \_\_\_ No \_\_\_

When the Refuge Manager finds the use appropriate based on sound professional judgment, the Refuge Manager must justify the use in writing on an attached sheet and obtain the Refuge Supervisor's concurrence.

**Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:**

Not Appropriate \_\_\_ Appropriate  X

Refuge Manager:  /Mark Vaniman/  Date:  7/20/2012

**Justification:** This use has little impact to wildlife or habitat since it is recreational in nature and few people participate. A very small percentage of available fruit is harvested so no appreciable effect on wildlife mast is anticipated. This activity provides hours of enjoyable recreation and promotes a positive image of the refuge.

If found to be Not Appropriate, the Refuge Supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found Not Appropriate outside the CCP process, the Refuge Supervisor must sign concurrence.

If found to be Appropriate, the Refuge Supervisor must sign concurrence.

Refuge Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**A compatibility determination is required before the use may be allowed.**

## Michigan Islands NWR

### Finding of Appropriateness of a Refuge Use

**Refuge Name:** Michigan Islands, Harbor Island, and Huron National Wildlife Refuges

**Use:** Research

This exhibit is not required for wildlife-dependent recreational uses, forms of take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
Do we have jurisdiction over the use?	X	
Does the use comply with applicable laws and regulations (federal, state, tribal, and local)?	X	
Is the use consistent with applicable executive orders and Department and Service policies?	X	
Is the use consistent with public safety?	X	
Is the use consistent with goals and objectives in an approved management plan or other document?	X	
Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?	X	
Is the use manageable within available budget and staff?	X	
Will this be manageable in the future within existing resources?	X	
Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?	X	
Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D. for description), compatible, wildlife-dependent recreation into the future?	X	

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will generally not allow the use.

If indicated, the Refuge Manager has consulted with state fish and wildlife agencies.

Yes \_\_\_ No \_\_\_

When the Refuge Manager finds the use appropriate based on sound professional judgment, the Refuge Manager must justify the use in writing on an attached sheet and obtain the Refuge Supervisor's concurrence.

**Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:**

Not Appropriate \_\_\_\_\_ Appropriate  X

Refuge Manager:  /Steve Kahl/  Date:  7/20/2012



## Compatibility Determinations

### Gravel and Green Bay NWRs

#### Compatibility Determination

**Use:** Hunting

**Refuge Name:** Green Bay National Wildlife Refuge, Door County

Green Bay NWR: Plum Island (325 acres)

#### Establishing and Acquisition Authorities:

Plum Island was transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

#### Refuge Purpose:

Plum Island: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

#### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

#### Description of Use:

*What is the use?* The use is hunting of deer on Plum Island as an activity conducted by the general public under regulation authority of the National Wildlife Refuge System Improvement Act and the National Wildlife Refuge System. Since 1982, the U.S. Coast Guard (USCG) allowed deer hunting on the island. When the U.S. Fish and Wildlife Service retained ownership, hunting was allowed to continue, but by permit only. About 76 people have hunted since 2007, harvesting 39 deer. It is critical to control the deer herd on the island in order to protect the forest diversity. Upon completion of a Refuge Hunt Plan, the refuge proposes to continue offering hunting opportunities for deer, either continuing by a permit system or open to the general public.

*Where is the use conducted?* Currently, the entire 325 acres of Plum Island is open for deer hunting by permit.

*How is the use conducted?* Hunting will be conducted under state- and refuge-specific federal regulations. Hunting activities are intended to meet the National Wildlife Refuge System Improvement Act and some of the refuge objectives and management goals without adversely affecting the primary objectives and mission of the refuge.

Completing this activity under a hunting plan allows the refuge to accomplish its management goals and provide needed safety levels for citizens of the area without adversely affecting refuge habitats and wildlife populations.

*When would the use be conducted?* The hunting seasons will follow state seasons. Generally, the deer season begins in mid-September with archery, followed by gun hunting and then another late archery hunt. All deer hunting ends around the first week of January.

Details about when, where, and how the hunts are conducted will be defined in the hunt management plan. All hunting activities will follow applicable state laws, except where the refuge administers further restrictions to ensure a quality hunt and visitor and staff safety. Hunting activities can only occur in designated areas listed in the hunt management plan.

*Why is this use being proposed?* Hunting is one of the priority uses outlined by Congress in the National Wildlife Refuge System Improvement Act of 1997. The Service supports and encourages priority uses on national wildlife refuge lands where appropriate and compatible. Hunting is used in some instances to manage wildlife populations and can provide pertinent biological information to state wildlife agencies. Hunting is also a traditional form of wildlife oriented recreation that can be accommodated on many national wildlife refuge lands. In Door County, many private islands and state areas offer similar hunting opportunities.

**Availability of Resources:**

Approximately \$5,000 of staff time will be required to administer and manage these activities. Time will be spent on managing the permit system for this hunt, issuing news releases, and conducting law enforcement. Some of the costs could be offset by the Recreational Fee Program if a permit program was established for Plum Island. Law enforcement staff from the Wisconsin Department of Natural Resources from Door County will provide limited monitoring.

**Anticipated Impacts of Use:**

Hunting is consistent with the purposes of the refuge when carried out within established regulations and is a priority uses identified in the Refuge Improvement Act. Island visitation is expected to be minimal (and will be limited if a permit system is established) and anticipated uses and impacts should also be minimal since all access will be outside of the bird nesting season. The hunters will cause some disturbance to other wildlife, but the disturbance is minor and short-term.

Illegal use of permanent or overnight tree stands could be an impact if trees are damaged or if staff has to spend time removing stands. Litter may also be a problem, especially when spent shotgun shells are left on the island. Impact to the vegetation is minimal and temporary.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public review.

**Determination (check one below):**

Use is Not Compatible



## Compatibility Determination

**Use:** Environmental Education and Interpretation

**Refuge Name:** Gravel Island and Green Bay National Wildlife Refuges, Door County

Gravel Island NWR: Gravel Island (10 acres) and Spider Island (25 acres)

Green Bay NWR: Hog Island (2 acres), Plum Island (325 acres), and Pilot Island (3.7 acres)

### Establishing and Acquisition Authorities:

Gravel, Spider, and Hog Islands were established by Executive Order No. 1678 of January 9, 1913, and Executive Order No. 1487 of February 21, 1912, respectively. Public Law 91-504, October 23, 1970 designated the existing Green Bay and Gravel Island NWRs as a Wilderness Area.

Plum and Pilot Islands were transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

### Refuge Purpose:

Gravel Island NWR: “. . . as a preserve and breeding ground for native birds.” Executive Order 1678, dated January 9, 1913.

Green Bay NWR: Hog Island: “. . . as a preserve and breeding ground for native birds.” Executive Order 1487, dated February 21, 1912.

Plum and Pilot Islands: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* Environmental education consists of public outreach and onsite activities conducted by refuge staff, volunteers, teachers, and university professors. Environmental education may include staff led overnight activities with youth groups (e.g., Girl Scouts and Youth Conservation Corp.). Interpretation occurs in less formal activities with refuge staff and volunteers or through exhibits, signs, and brochures.

*Where is the use conducted?* On Plum Island, the activities may include traditional environmental education activities (teacher-led or staff-led onsite field trips, teacher and student workshops), offsite programs in classrooms, nature study, and interpretation of the wildlife

resources and a possible support facility such as interpretive trails and a visitor contact station. Access to Plum Island is by private or commercial tour boat.

Gravel, Spider, Hog, and Pilot Islands will remain closed to public entry to ensure necessary protection of nesting birds. Environmental education and interpretation activities will occur at a distance from the Islands (e.g., by boat around the perimeter of the Islands) or be offered offsite.

*How is the use conducted?* All environmental education and interpretation activities will be conducted with the refuge's primary goals, objectives, and habitat management requirements as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors. All programs will include a description of the U.S. Fish and Wildlife Service and the Refuge System. All of the programs will address a number of wildlife conservation issues such as management, watershed, habitat, wildlife, endangered species, invasive species, etc.

*Why is this use being proposed?* Permitting this activity would be consistent with the National Wildlife Refuge System Improvement Act, and help accomplish refuge goals and promote understanding, appreciation, and support for its mission.

Plum Island contains a number of historic buildings and related structures including the front and rear range lights, the original keeper's quarters, a fog signal building, the USCG station and a substantial boathouse and dock. The rear range light, built in 1896, is still operational and listed on the National Register of Historic Places. The remaining Plum Island District (buildings, structures, and cross island trail) was recently added to the National Register of Historic Places. There is also a concentration of shipwrecks, dating from the 1800s and early 1900s. A partnership between the Service and the Friends of Plum and Pilot Islands, currently helps support the preservation, restoration, and maintenance of the lighthouse and other historic structures, while also protecting wildlife resources. Plum Island provides an excellent opportunity to integrate history and local community traditions and values into refuge interpretive and education programs.

#### **Availability of Resources:**

A full-time Visitor Services Specialist will be required to fully implement this activity to better meet one of the highest priorities for the U.S. Fish and Wildlife Service, which is "Connecting People with Nature: Ensuring the Future of Conservation." Their major responsibility would be to cooperatively work with partners and volunteers to implement a Visitor Services Plan for Plum Island. Costs for the 1 FTE and associated materials would be \$170,000. Most of this cost would be up front as the program is initially set up. After environmental education and interpretive activities are in place, maintenance and improvement of refuge interpretive signs, trails, etc. will be periodically monitored. Trained volunteers will also provide a valuable service in these programs.

#### **Anticipated Impacts of Use:**

Environmental education and interpretation are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species. Disturbance to wildlife is limited to occasional incidents like flushing wildlife. Restrictions on locations, time of year, and number of users in the environmental education and interpretation programs will be placed to assure minimal disturbance to wildlife, especially nesting birds.

There are two unmaintained “trails” on Plum Island that were historically used by the USCG. Plans are to clear the existing (but overgrown) perimeter trail and develop it into an interpretive trail. A section of the trail is currently home to the federally threatened dwarf lake iris. This section will be re-routed to assure necessary protection. The existing “cross-island” trail, which connects the lifesaving station on the north side of the island to the keeper’s quarters and rear range light on the south side of the island will be closed and/or re-routed to avoid disturbing an active Bald Eagles nest.

The activities will follow all applicable laws, regulations and policies including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Green Bay and Gravel Island NWRs goals and objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System mission. Operating these activities does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

Environmental education and interpretation are priority public uses listed in the National Wildlife Refuge System Improvement Act. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and refuge goals and objectives, environmental education and interpretation will only occur under the following stipulation:

Environmental education and interpretation will only occur in developed areas designated by the CCP or a step-down plan or under the guidance of a refuge staff member, volunteer, or trained teacher to assure minimal disturbance to wildlife, minimal vegetation damage, and minimal user conflict between other public uses.

**Justification:**

The refuge uses partnerships and environmental education to motivate citizens of all ages to action and understanding in protecting a healthy ecosystem. Partnerships and environmental education are tools used to build a land ethic and lessen vandalism, littering, and poaching.

The minor impacts to vegetation and wildlife, which may occur are a worthwhile tradeoff for informing visitors about island wildlife and providing an opportunity for active land stewardship.

Refuge Manager: \_\_\_\_\_/Steven J. Lenz/\_\_\_\_\_ Date: 10/9/2012

Regional Chief: \_\_\_\_\_/Tom Worthington (Acting)/\_\_\_\_\_ Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## Compatibility Determination

**Use:** Wildlife Observation and Photography (including means of access)

**Refuge Name:** Gravel Island and Green Bay National Wildlife Refuges, Door County

Gravel Island NWR: Gravel Island (10 acres) and Spider Island (25 acres)

Green Bay NWR: Hog Island (2 acres), Plum Island (325 acres), and Pilot Island (3.7 acres)

### Establishing and Acquisition Authorities:

Gravel, Spider, and Hog Islands were established by Executive Order No. 1678 of January 9, 1913, and Executive Order No. 1487 of February 21, 1912, respectively. Public Law 91-504, October 23, 1970 designated the existing Green Bay and Gravel Island NWR as a Wilderness Area.

Plum and Pilot Islands were transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

### Refuge Purpose:

Gravel Island NWR: “. . . as a preserve and breeding ground for native birds.” Executive Order 1678, dated January 9, 1913.

Green Bay NWR: Hog Island: “. . . as a preserve and breeding ground for native birds.” Executive Order 1487, dated February 21, 1912.

Plum and Pilot Islands: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* Conduct and allow access for priority public uses (wildlife observation and, photography) as provided for under the National Wildlife Refuge System Improvement Act of 1997. Provide public access on Plum Island to observe and/or photograph wildlife and refuge habitats by means of hiking.

The current dock on Plum Island will provide access to the visiting public, however; opportunities will be limited due to the current condition of the dock. A kayak access point will be established to facilitate wildlife observation and photography. On the other islands, (Gravel, Spider, Pilot, and Hog), which are closed to public entry, these uses will occur at a distance from the Islands (e.g., by boat around the perimeter of the Islands).

*Where is the use conducted?* There are two unmaintained “trails” on Plum Island that were historically used by the USCG. The existing (but overgrown) perimeter trail will be cleared and developed into an interpretive trail. A section of the trail is currently home to the federally threatened dwarf lake iris. This section will need to be re-routed to assure necessary protection. The existing “cross-island” trail, which connects the lifesaving station on the north side of the island to the keeper’s quarters and rear range light on the south side of the island will need to be closed and/or re-routed to avoid disturbing an active Bald Eagles nest. The trails will allow for wildlife observation and environmental education opportunities on Plum Island.

The boathouse on Plum Island may be used as a visitor contact station and exhibit space to provide information about Green Bay and Gravel Island NWRs, the National Wildlife Refuge System, Great Lakes Basin ecology, and historical resources on Plum and Pilot Islands. Additionally, the USCG station may be used as a research station and bunkhouse for refuge staff, researchers, and volunteers.

*How is the use conducted?* All wildlife observation and photography activities will be conducted with the refuge's primary objectives, habitat management requirements, and goals as the guiding principles. Activities done under these restrictions will allow the refuge to accomplish its management goals and provide for the safety of visitors.

*Why is this use being proposed?* Wildlife observation and photography are priority public uses on National Wildlife Refuge System Lands as identified in the National Wildlife Refuge System Improvement Act of 1997. Entry on all or portions of individual areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety.

#### **Availability of Resources:**

A full-time Visitor Services Specialist will be required to fully implement this activity to better meet one of the highest priorities for the U.S. Fish and Wildlife Service, which is “Connecting People with Nature: Ensuring the Future of Conservation.” Their major responsibility would be to cooperatively work with partners and volunteers to implement a Visitor Services Plan for Plum Island. Costs for the 1 FTE and associated materials would be \$170,000. Most of this cost would be up front as the program is initially set up. After wildlife observation and photography activities are in place, maintenance and improvement of refuge interpretive signs, trails, etc. will be periodically monitored. Trained volunteers will also provide a valuable service in these programs.

#### **Anticipated Impacts of Use:**

Wildlife observation and photography are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species. Disturbance to wildlife is limited to occasional incidents like flushing wildlife. Restrictions on locations and time of year will be placed to assure minimal disturbance to wildlife, especially nesting birds.

The activities will follow all applicable laws, regulations, and policies including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Green Bay and Gravel Island NWRs goals and objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System mission. Operating these activities does not alter the



Regional Chief: \_\_\_\_\_/Tom Worthington (Acting)/\_\_\_\_\_ Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## **Compatibility Determination**

**Use:** Special Events (non-refuge sponsored)

**Refuge Name:** Green Bay National Wildlife Refuge, Door County

Green Bay NWR: Plum Island (325 acres), and Pilot Island (3.7 acres)

### **Establishing and Acquisition Authorities:**

Plum and Pilot Islands were transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

### **Refuge Purpose:**

Green Bay NWR: Plum and Pilot Islands: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

### **National Wildlife Refuge System Mission:**

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

### **Description of Use:**

This use is for special events sponsored by charitable and other non-profit clubs or groups such as Friends of Plum and Pilot Islands. These events may include a guided hike or a lighthouse tour on Plum Island. Events may be held one to six times annually and occur at different times throughout the year. Events may have up to 100 participants, although generally less than 50. Participants will use the established boat dock and trails.

Pilot Island may be open for special events (e.g., lighthouse tours) pending dock repairs. These events will occur after the nesting season to assure necessary protection of breeding birds and to avoid disruption to ongoing research activities currently being conducted on the Island.

### **Availability of Resources:**

These events generally involve staff time for meeting with sponsors, explaining refuge regulations, issuing a Special Use Permit, and providing some level of oversight during portions of the event. Existing staff are adequate to administer this use depending on number of requests received and the size and scope of the event. Since special events on Plum Island are held based on existing dock and trails, facilities are deemed adequate. However, future events may require additional dock and trail improvements prior to issuing Special Use Permits. The existing dock on Pilot Island is currently unsuitable for public access due to safety concerns. Sponsors are required to furnish any additional facilities needed, such as portable toilets.

### **Anticipated Impacts of Use:**

The short-term impact associated with these events is human disturbance to wildlife occupying habitat on the Islands. Most events will occur on established trails or areas that already support a moderate level of human activity. Wildlife that occupy habitat in these areas are accustomed to a higher degree of human disturbance. Any alteration of behavior or bird flight would be temporary and localized with wildlife quickly resuming normal activities.

There will be some short-term impact to other visitors engaged in wildlife-dependent recreation during the event. Visitors not engaged in the event, will be permitted to continue their activity. With an increase of public use during events, an increase of litter is expected. Event coordinators will be required to clean the area when the event is complete. Clean-up events actually reduce litter and debris and thus have a positive impact on the visual character of the refuge.

Other than the potential for some increase in future visitation to the refuge, no long-term impacts associated with these events are anticipated.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Events must include an educational message that helps further the understanding of the purposes of the refuge and the mission of the Refuge System.
2. Event sponsors will furnish complete information on event description, date, time, preferred location, number of participants, and logistics for health and safety, so that the manager can make a determination of best area and timing of events when issuing a Special Use Permit. Management reserves the right to deny any proposal that will cause an undue demand on staff or resources, is not related to a charitable or non-profit organization, or does not promote the goals of the campaign designed to get Americans outdoors and active on their public lands.
3. Events will be scheduled only at appropriate times of the year to avoid significant wildlife and visitor disturbance. Events will be scheduled on a first-come, first-served basis, with no more than one event in the same area and time. All activities will be limited to the designated routes on established trails.
4. All activities associated with the event will be approved by refuge staff in advance of the event and will be located to avoid any sensitive sites (e.g., areas with high densities of foraging shorebirds, areas where waterbirds, waterfowl, raptors, or passerines are nesting, etc.) and to minimize disturbance to wildlife foraging/perching/loafing in adjacent wetlands and woodlands.

5. Event sponsors will be required to set up and remove all materials necessary for the event. This requirement applies to any tables, chairs, displays, signs, traffic aids, litter receptacles, portable toilets, etc. needed.

**Justification:**

Disturbance to wildlife and habitat will be minimal since this use will occur on existing trails, be periodic, and relatively short duration. Wildlife disturbed will be displaced during the event, but should return to the areas affected quickly. Adjacent habitat is abundant for wildlife to use when disturbed. Stipulations in place will minimize disturbance, ensure control of the events, and contribute to the mission of the Refuge System by requiring an interpretive or environmental education component. This use will also expose large numbers of people to the refuge and help them gain a better understanding and appreciation of the refuge. These events are also consistent with the agency commitment to protecting and managing cultural resources in a spirit of stewardship for future generations to understand and enjoy. The number of events, and their size and scope, remains under the control of the Refuge Manager through the requirement of a Special Use Permit.

Refuge Manager: \_\_\_\_\_/Steven J. Lenz/\_\_\_\_\_ Date: 10/9/2012

Regional Chief: \_\_\_\_\_/Tom Worthington (Acting)/\_\_\_\_\_ Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## **Compatibility Determination**

**Use:** Research

**Refuge Name:** Gravel Island and Green Bay National Wildlife Refuges, Door County

Gravel Island NWR: Gravel Island (10 acres) and Spider Island (25 acres)

Green Bay NWR: Hog Island (2 acres), Plum Island (325 acres), and Pilot Island (3.7 acres)

### **Establishing and Acquisition Authorities:**

Gravel, Spider, and Hog Islands were established by Executive Order No. 1678 of January 9, 1913, and Executive Order No. 1487 of February 21, 1912, respectively. Public Law 91-504, October 23, 1970 designated the existing Green Bay and Gravel Island NWR as a Wilderness Area.

Plum and Pilot Islands were transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

### **Refuge Purpose:**

Gravel Island NWR: “. . . as a preserve and breeding ground for native birds.” Executive Order 1678, dated January 9, 1913.

Green Bay NWR: Hog Island: “. . . as a preserve and breeding ground for native birds.” Executive Order 1487, dated February 21, 1912.

Plum and Pilot Islands: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

### **National Wildlife Refuge System Mission:**

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

### **Description of Use:**

*What is the use?* The use is research projects conducted by universities and other academic institutions, government agencies such as the Wisconsin Department of Natural Resources and U.S. Geological Survey (USGS), and private conservation organizations. Research projects will contribute to a better understanding of refuge wildlife and habitat resources, provide information to improve adaptive management decisions, and increase life history information on species of concern.

Written research proposals will be required for review and approval before access will be allowed. If approved, access to the islands will be limited to the least invasive means required to accomplish the activities. Research will be carried out by professors, students, contractors,

refuge staff, and volunteers. Research results will be used to assist refuge staff in making wise management decisions and to support adaptive management processes.

Several studies involving Double-crested Cormorants, Red-breasted Mergansers, and Black-crowned Night-Herons have used Gravel Island and Green Bay NWRs as study sites. Activities have included sampling eggs, embryos, adults, and juveniles for various toxicants, counting nests, sampling blood for genetic purposes, and banding.

The most recent study was initiated in 2001. Through banding and re-sighting efforts, researchers are trying to better understand the population of Double-crested Cormorants and its growth. The mark/recapture study is being conducted as a joint project with U.S. Department of Agriculture Wildlife Service's researchers in order to obtain these critical data in this last remaining unmanaged segment of the population. The study continued through 2010.

Islands are valuable sites for biological research providing opportunities to study populations, island biogeography, predator-prey relations, and competition. Research opportunities may increase if the lifesaving station on Plum Island is renovated as a research facility/dormitory for island researchers.

*Where is the use conducted?* The use could occur on any or all of the refuge islands and often on other islands not owned by U.S. Fish and Wildlife Service.

*How is the use conducted?* Research may be conducted by foot, boat, canoe, kayak, and aerial methods. Marking of nests and individual animals may be required. The least invasive means required to accomplish objectives will be used. Housing is available offsite for use by researchers (RV trailer at local campground) but may include use of a dormitory directly on Plum Island in the future.

*When would the use be conducted?* Research projects may be conducted year round but usually occur from April–November.

*Why is this use being proposed?* Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

#### **Availability of Resources:**

Some research and monitoring is funded by grants, other government agencies, and universities; or conducted by students and volunteers. Refuge staff involvement includes reviewing research proposals, supervising or monitoring research activities, reviewing reports, providing some equipment and vehicles, and occasionally participating in field work.

Staff time for development and/or review of research proposals/reports, administration of Special Use Permits, supervision of students and volunteers, maintenance of vehicles, specialized equipment, and housing is already available and committed.

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

Research projects will be evaluated to determine whether the project is aligned with information needs of the island refuges and surrounding landscape. Only projects that benefit resource management will be approved to receive a permit or cooperative agreement.

Disturbance or removal of plants and wildlife would be a temporary impact. Re-population of the removed individuals would be expected to occur over time.

Some temporary dispersal of animals around or off the islands may occur from field activities.

Permit/Cooperative Agreements will be developed to eliminate or minimize impacts to other uses and management activities. Information collected from research project will assist the refuge manager in fine tuning management activities to maximize productivity of islands.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public review.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and Green Bay and Gravel Island NWR's goals and objectives the activity can only occur under the following stipulations:

1. Researchers will submit a study proposal and designate specific area(s) on the islands where the activity is to occur.
2. Each project will be evaluated on its merits. All proposals will be reviewed for their potential benefits to future island management activities and potential impact(s) to current activities. Permits/Cooperative Agreements will only be issued to those projects that contribute to inventory, monitoring, management impacts, life history needs on species of concern, and information needs of the islands.
3. Coordination will be maintained with the Regional Refuge Wildlife Biologist.
4. A report must be submitted at the end of each field season and at the conclusion of the study.
5. Annually all ongoing activities and operations will be reviewed to ensure compliance with all applicable laws, regulations, and policies.

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities

occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

Refuge Manager: \_\_\_\_\_/Steven J. Lenz/\_\_\_\_\_ Date: 10/9/2012

Regional Chief: \_\_\_\_\_/Tom Worthington (Acting)/\_\_\_\_\_ Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2022

## **Compatibility Determination**

**Uses:** Commercially Guided Wildlife and Wildland Tours and Activities

**Refuge Name:** Green Bay National Wildlife Refuge, Door County

Green Bay NWR: Plum Island (325 acres)

### **Establishing and Acquisition Authorities:**

Plum Island was transferred from the U.S. Bureau of Land Management to the U.S. Fish and Wildlife Service on October 17, 2007 under the authority of the Federal Land Management and Policy Act of 1976, 43 U.S.C. 1714 (2000).

### **Refuge Purpose:**

Plum Island: “. . . to protect native and migratory bird habitat and endangered species habitat within the Great Lakes Basin ecosystem.” Public Land Order 7681, dated October 17, 2007.

### **National Wildlife Refuge System Mission:**

The mission is to administer a national network of lands and water for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resource habitats within the United States for the benefit of present and future generations of Americans.

### **Description of Use:**

This use involves environmental education activities, tours, and programs that are offered to the public for a fee and are conducted on refuge property. Activities provide recreational and educational opportunities for the paying public who desire a successful, quality experience but who may lack the necessary equipment, skills, or knowledge to observe wildlife or otherwise experience the diverse habitats of the refuge. The refuge refers to these uses as commercially guided wildlife and wildlands tours and activities, which may include the following: kayak tours, bird watching excursions, wildlife viewing or photography trips, lighthouse tours, nature programs, and environmental education field outings. This determination is not addressing any new use; the activities listed above are permitted activities compatible with the refuge mission. Rather, this review looks at the compatibility of an economic use of the refuge, how it will impact the resource, and how it will be administered consistently in conjunction with other permitted uses. The commercial uses are covered generally in this determination, with the intent that the accompanying Special Use Permit will include more specific stipulations, conditions, and requirements.

Guiding operations will generally be allowed on established trails Memorial Day to Labor Day, daylight hours only. Access will be handled on a case-by-case basis within areas that are designated closed or restricted or areas within the vicinity of sensitive bird areas such as nesting sites. Administration of commercially guided wildlife/wildland activities will be conducted in accordance with commercial guide use stipulations (see attached). These conditions were developed to ensure consistency throughout the refuge; provide a safe, quality experience, protect resources, and to ensure compliance with pertinent Refuge System regulations and policies. The special use stipulations will address the number of permits to be issued, guide qualifications, permit cost, and selection methods. Commercial Guide Use conditions will take

into account the distribution of guides and public opportunity and address sensitive wildlife areas or other considerations.

**Availability of Resources:**

This program will increase overall costs of refuge operations, including but not limited to, development and review of policy and procedure, yearly administration of permits (inquiries, screening and selecting applicants, issuing permits), and enforcement of permit conditions. The size and scope of the guiding program, and the number of permits that will be available, will have to be limited and be in balance with staff availability. In the long-term, a comprehensive guiding program, when combined with other new initiatives requiring permits, may require additional administrative and/or other personnel time. Existing facilities (boat docks, trails, sanitary facilities, etc.) and other infrastructure are currently insufficient to accommodate this use.

**Anticipated Impacts of the Use:**

Disturbance of wildlife is the primary concern regarding this use. Increased use could cause disturbance to waterfowl, nesting passerines, Bald Eagles, and other wildlife. While field trip routes and observation sites are located in areas open to the general public, disturbance caused by group tours could be more intense, because the number of people may be greater than normally occurs during general public activities. This disturbance may displace individual animals to adjacent areas of the refuge. However, the level of disturbance, through control of areas used and seasons of use, should limit the disturbance during critical feeding, resting, and breeding periods and not measurably affect overall refuge populations.

There is also a concern for habitat degradation through the potential for increased potential for invasive species introductions. Limits placed on the number and size of tours as well as launch locations will be established and/or adjusted in response to evidence of habitat degradation.

Guided tour activities may also conflict with other refuge users. For example, commercial tours will most likely use the same areas as the independent wildlife viewer, kayakers, and boaters during open seasons. Unregulated or inadequately regulated commercial guiding operations may adversely affect the safety of refuge users, the quality of their experience, and the equity of opportunity. Stipulations proposed were developed to mitigate these concerns by coordinating schedules and implementing volume and space restraints for commercial operators. Guide operations may increase use of some refuge facilities, such as boat docks, but, if regulated, this increase would not be significant compared to overall use.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

Commercially Guided Wildlife and Wildlands Tours and Activities Special Use Permit Stipulations on Green Bay National Wildlife Refuge.

Commercial activities refer to activities that provide educational and recreational opportunities for the paying public who desire a successful, quality experience but who may lack the necessary equipment, skills, or knowledge to observe wildlife or otherwise experience the diverse habitats of the refuge. Commercially guided wildlife and wildlands tours and activities may include the following: kayak tours, bird watching excursions, wildlife viewing or photography trips, nature programs, lighthouse tours, and environmental education field outings.

The Refuge Manager will designate “Commercial Wildlife Observation Guide Use Areas” within the refuge. In most cases this will include the dock and trails within the refuge except those areas that are closed or subject to seasonal closures because of hunting and sensitive bird areas such as rookeries and bald eagle nests. The Refuge Manager may as necessary establish a maximum number of guides that will be allowed to operate within the refuge. The number of tours may also be limited as necessary to reduce unforeseen conflict between user groups or disturbance to wildlife and habitats.

Qualified individuals may apply to use the refuge. If the maximum number of guides exceeds the recommended allowance for the area, guides will be selected by random drawing for a Special Use Permit valid for up to one year.

Administrative and permit fee will be \$200, non-refundable. These fees will be established as the initial program fees until the number of participants and earned revenues can be determined.

Administration of these activities will be conducted in accordance with the following stipulations, which were developed to ensure consistency throughout the refuge: provide a safe, quality experience; protect resources; and to ensure compliance with pertinent Refuge System regulations and policies.

1. Permittee(s), designated representatives, and associates will comply with all the refuge regulations and conditions of the Special Use Permit as provided by the refuge manager.
2. Instructors and guides will provide proof of insurance as established by the refuge including minimum coverage for general liability and comprehensive for all operations; and possess a current CPR and First Aid training certificate issued by a recognized national organization.
3. The permittee will be liable for all personal injuries, loss of life, and damage and/or loss to personal and public property, which are incurred by or caused by employees or clients during tours or activities on the refuge.
4. The permittee will be responsible for all infractions of refuge special regulations and Code of Federal Regulations Title 50 Subparts C, pertaining to National Wildlife Refuges.
5. The refuge reserves the right to change fees, regulations and/or restrictions or terminate the permit during the effective period following consultation with the permittee.
6. The permittee will disclose, during all trips, tours, activities that this area is part of the National Wildlife Refuge System administered by the U.S. Fish and Wildlife Service at Green Bay NWR.
7. Refuge staff has the right to accompany any tour, program, or activity, with proper notice, as a non-paying observer.

8. Permittees may be assisted by any number of individuals. Assistants must be named/authorized on the permit issued and possess the applicable state licenses and/or registration to perform the duties conducted.
9. The permittee will provide the refuge with a proposed schedule, including times, dates and locations, of all programs/tours/activities at least 30 days prior to conducting those activities on the refuge.
10. The permittee is responsible for accurate record keeping and will provide the issuing refuge office an annual summary of activity by January 15 of each year; the following information will be included:
  - a. Fee schedule for the year (charge per individual)
  - b. Number of guided tours/activities/programs conducted on the refuge
  - c. Number of individuals that participated in tours/activities/programs
  - d. Date of each trip
  - e. Location of each trip, or general area of activity
  - f. Individual names and description of duties for all additional staff who assisted with a trip on the refuge.
11. All vessels used in guide operations shall be marked with a guide identifier as required by the refuge. All boats are to be equipped and operated in accordance with Wisconsin and USCG boating regulations, including possessing a current Wisconsin registration.
12. The Special Use Permit and the privileges granted herein may be revoked by the issuing refuge office at any time for failure to comply with the permit conditions or other federal or state law.

**Justification:**

In accordance with the missions of the National Wildlife Refuge System, Green Bay NWR and the 1997 Refuge Improvement Act, this use has been determined compatible provided the above stipulations are implemented. This use will promote public awareness and stewardship of the refuges' natural and cultural resources. It does not materially interfere with or detract from the Service's ability to meet the mission of the National Wildlife Refuge System because:

1. Existing federal and state agency oversight and regulation of affected species and habitat is sufficient to ensure healthy populations. Disturbance to fish and wildlife will be local, short-term, and not adversely impact overall populations.
2. There are adequate state and federal enforcement officials to enforce state and federal regulations.
3. Restricting the number of guides and managing how and where guided activities are conducted will reduce adverse habitat effects, conflicts between competing guide services, and conflicts between guided operations and other refuge users.
4. Designated areas of operation (Guide Use Areas), operating requirements, and other regulation of guided activities will minimize conflicts with other refuge users.
5. Administrative and Special Use Permit fees will help off-set costs to administer and provide oversight to this use.



## Harbor Island NWR

### Compatibility Determination

**Use:** Environmental Education and Interpretation

**Refuge Name:** Harbor Island National Wildlife Refuge

### Establishing and Acquisition Authorities:

Harbor Island was purchased from The Nature Conservancy in December 1983 as part of the Unique Ecosystem Program and waterfowl production area under authority of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j).

### Refuge Purpose:

“ . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . . ” 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* Environmental education would consist of public outreach and onsite activities conducted by refuge staff, volunteers, teachers, and university professors. Interpretation occurs in less formal activities with refuge staff and volunteers or through exhibits, signs, and brochures.

*Where is the use conducted?* Environmental education and interpretation activities may occur throughout the refuge, but are most likely to occur on or around the main harbor, which is well protected and provides abundant opportunities for boats to anchor or nose into shore. The refuge is located in Potagannissing Bay in Lake Huron, approximately 3 miles off Drummond Island and approximately 10 miles, via boat, from the Detour Village boat ramp. During the winter this area of the lake is normally frozen, and access to the island would only be via snow machine. Currently the refuge is not staffed. We estimate the refuge receives a about 200 visitors per year, although we don't have good documentation. As mentioned above, the refuge contains a very protected harbor with good anchoring that is utilized for the primary purpose of getting out of the weather or anchoring for the night. Environmental education and interpretation may occur on the refuge or offsite. Currently, there are no self-guided interpretive services on the island, just informational and regulatory signs. Onsite guided services may be provided although extensive logistical coordination would have to occur and would be dependent on weather and lake conditions. Local school districts are located approximately two–three hours away by vehicle. Programs would be given at schools upon request. Programs would be given upon request onsite at the refuge, although extensive logistical coordination would have to

occur and would be dependent on weather and the lake condition. Offsite activities consist of teacher workshops, participation in special events, and the sharing of wildlife education trunks.

*When is the use conducted?* Interpretation occurs throughout the year, whenever a visitor reads a sign, brochure, or the refuge website. Environmental education activities would primarily occur during the school year but can occur at any time. Most activities occur during daylight hours.

*How is the use conducted?* All environmental education and interpretation activities are conducted with the refuge's primary goals, objectives, and habitat management requirements as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors. All programs include a description of the U.S. Fish and Wildlife Service and the Refuge System. All of the programs address at least one of a number of wildlife conservation issues such as management, watershed, habitat, wildlife, endangered species, invasive species, etc.

*Why is the use being proposed?* Permitting this activity is consistent with the National Wildlife Refuge System Improvement Act (1997), helps accomplish refuge goals and objectives, and promotes understanding, appreciation and support for our mission.

#### **Availability of Resources:**

Harbor Island National Wildlife Refuge is managed out of the Seney National Wildlife Refuge office along with two other remote island refuge units: the remote Kirtland's Warbler Wildlife Management Area and a remote subunit, Whitefish Point. Currently, we have one full-time Visitor Service Manager and a career seasonal Park Ranger to lead the interpretive and environmental education program. With current staff, opportunities exist to improve the interpretive program at Harbor Island NWR with development of interpretive signs and kiosks to be located on the refuge. Also with current staff, limited environmental educational activities could be conducted at local school districts. An additional public use staff dedicated to our three remote island refuges would be needed in order to begin to provide a more adequate environmental education program at local school districts plus education efforts on the island and refuge led interpretive activities on the Island. Approximately \$100,000 would be needed to begin to adequately administer this program.

Trained volunteers and interns provide an integral part of the Seney National Wildlife Refuge's environmental education and interpretation program. All the interns and most of the volunteers are based in the Seney NWR area. Additional local volunteers may be available with the formation of a Harbor Island Friends Group, currently being considered by local entities.

Every effort is made to meet each request for environmental education and interpretive programs. However, staff, funding, and the location of the refuge have curtailed programs. Due to logistical challenges, the Environmental Education and Interpretive (staff led) programs actually occurring on the island will always be very limited. Based on a review of the current Complex budget, there is sufficient funding to administer this program at its limited current level and ensure compatibility with the purpose for which Harbor Island National Wildlife Refuge was established.

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

Environmental education and interpretation are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species. Disturbance to wildlife is limited to



## Compatibility Determination

**Use:** Wildlife Observation and Photography (including means of access)

**Refuge Name:** Harbor Island National Wildlife Refuge

### Establishing and Acquisition Authorities:

Harbor Island was purchased from The Nature Conservancy in December 1983 as part of the Unique Ecosystem Program and waterfowl production area under authority of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j).

### Refuge Purpose:

"(for the) . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . ." 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* General public access to observe and/or photograph wildlife and refuge habitats including the means of access such as boat and then hiking, skiing, or snowshoeing on the island. Under the National Wildlife Refuge Improvement Act of 1997, wildlife observation and photography are priority public uses.

*Where is the use conducted?* These activities could take place anywhere on the refuge but most often occur along the two main harbors at the southern end of the island or anywhere along the perimeter. Currently, the refuge does not contain any type of designated trail.

*When is the use conducted?* The easiest/safest access to the refuge is via a boat, which normally can occur from March–November. If ice has formed on the lake, access to the island could occur via snow machine. Most wildlife observation and photography are most likely to occur from May–September; however, they could occur at any time of the year, but only during daylight hours.

*How is the use conducted?* All wildlife observation and photography activities will be conducted with the refuge's goals, objectives, and management plans as the guiding principles. Activities pursued under these restrictions allow the refuge to accomplish its goals and objectives and provide for the safety of visitors. Entry on all or portions of individual areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife or public safety.

*Why is the use being proposed?* Wildlife observation and photography are priority public uses on National Wildlife Refuge System lands as identified in the National Wildlife Refuge

Improvement Act of 1997. Allowing access to the refuge for wildlife observation and photography is consistent with goals of the refuge and the National Wildlife Refuge System.

**Availability of Resources:**

Approximately \$2,000 is required to maintain refuge signs and to cover logistics to annually get to the island. Currently, with the assistance of the volunteers and the Seney Natural History Association, there is enough staffing and funding available to administer these activities.

**Anticipated Impacts of the Use:**

Wildlife observation and photography can cause minor disturbance to wildlife especially during nesting seasons. In areas where people travel off trails, the impact on wildlife is normally minimal and temporary. The more significant impact can be the vegetation, but even this is dispersed and infrequent.

Wildlife observation and photography are priority public uses listed in the National Wildlife Refuge System Improvement Act. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife and their habitats, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and beyond. Increased public stewardship will support and complement Service actions in achieving refuge purposes and the mission of the National Wildlife Refuge System.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

- Use is Not Compatible
- Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and Harbor Island NWR goals and objectives, wildlife observation and photography can only occur under the following stipulation:

1. The refuge is closed from sunset until sunrise,
2. All motorized vehicles are prohibited.

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. It promotes public stewardship of natural resources and helps the refuge meet its goals and objectives. It does not materially interfere with or detract from the Service's ability to meet the mission of the National Wildlife Refuge System.

The activities follow all applicable laws, regulations, and policies, including: Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Refuge goals and objectives. These activities are compliant with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

Refuge Manager:                     /Mark Vaniman/                     Date: 10/9/2012

Regional Chief:                     /Tom Worthington (Acting)/                     Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## Compatibility Determination

**Use:** Hunting

**Refuge Name:** Harbor Island National Wildlife Refuge

### Establishing and Acquisition Authorities:

Harbor Island was purchased from The Nature Conservancy in December 1983 as part of the Unique Ecosystem Program and waterfowl production area under authority of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j).

### Refuge Purpose:

“ . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . . ” 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* The use is the hunting of game as an activity conducted by the general public under regulation authority of the National Wildlife Refuge System Improvement Act (1997) and the National Wildlife Refuge System. Hunting is currently allowed for big game. These hunts are conducted in accordance with State of Michigan regulations.

*Where is the use conducted?* The entire island is open to the hunting of white-tailed deer and black bear under state regulations.

*When is the use conducted?* Hunting is allowed during state seasons, generally from early September through the end of December each year.

*How is the use conducted?* Hunting is conducted under State of Michigan and refuge-specific regulations.

*Why is the use being proposed?* Hunting is identified as a priority public use in the National Wildlife Refuge System Improvement Act of 1997 and has traditionally occurred on Harbor Island without adverse impacts to the purpose for which the refuge was established. The hunt program is administered in accordance with sound wildlife management principles and the utmost concern for public safety.

### Availability of Resources:

Based on a review of the refuge budget and current staffing levels, resources are adequate to administer this program to ensure compatibility with the purpose for which the refuge was established.

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

The activity follows all applicable laws, regulations, and policies including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Harbor Island NWR goals and objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating these activities does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

### **Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

### **Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

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

To ensure compatibility with National Wildlife Refuge System and Harbor Island NWR goals and objectives, hunting can only occur under the following stipulations:

1. State and/or tribal hunting regulations apply to all hunting on Harbor Island.
2. Refuge-specific regulations apply as follows:
  - baiting or the use of bait is prohibited
  - the use of dogs to hunt black bear is prohibited
  - no motorized vehicles are permitted on the island
  - no camping or open fires
3. All hunting activities will be reviewed annually to ensure compliance with all applicable laws, regulations, and policies.

### **Justification:**

This use has been determined compatible provided the above stipulations are implemented. This use is being permitted as it is a priority public use and will not detract from the primary purposes of the refuge. This use will meet the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife, and plant resources on these lands.



## Compatibility Determination

**Use:** Mushroom and Berry Picking

**Refuge Name:** Harbor Island National Wildlife Refuge

### Establishing and Acquisition Authorities:

Harbor Island was purchased from The Nature Conservancy in December 1983 as part of the Unique Ecosystem Program and waterfowl production area under authority of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j).

### Refuge Purpose:

“ . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . . ” 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* Non-commercial harvest of berries and mushrooms for human consumption, primarily blueberries and morel mushrooms.

*Where is the use conducted?* These activities may occur throughout the entire 694 acres of the Harbor Island NWR.

*When is the use conducted?* Mushroom and berry picking can occur throughout the spring, summer, and fall. Activity is normally concentrated during the few weeks that fruit is ripe. This activity most likely occurs on the refuge incidental to other activities.

*How is the use conducted?* This is an activity that is often done in conjunction with other activities that are wildlife-dependent, such as wildlife observation and photography. Visitors typically walk the upland portions of the refuge and harvest opportunistically. All harvesting is done by hand.

*Why is the use being proposed?* Permitting this activity is consistent with the National Wildlife Refuge System Improvement Act, helps accomplish refuge goals, and promotes understanding, appreciation and support for its mission. Wild food gathering is a traditional family activity allowing visitors to collect wholesome, natural foods while enjoying the refuge.

### Availability of Resources:

Harbor Island NWR is managed out of the Seney NWR office along with two other remote island refuge units: the remote Kirtland's Warbler Wildlife Management Area and a remote subunit,



## Huron NWR

### Compatibility Determination

**Use:** Wildlife Observation and Photography (including means of access)

**Refuge Name:** Huron National Wildlife Refuge

### Establishing and Acquisition Authorities:

Huron Islands Reservation was originally established by Executive Order dated October 10, 1905. Executive Order 7795, dated January 12, 1938 revoked the executive order from 1905 and established Huron Migratory Bird Refuge.

### Refuge Purpose:

" . . . as a refuge and breeding ground for migratory birds and other wildlife . . . " 16 U.S.C. 71 5d (Migratory Bird Conservation Act).

" . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . . " 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

Designated wilderness in 1970 to " . . . *secure for the American people of present and future generations the benefits of an enduring resource of wilderness*" Public Law 91-504, October 23, 1970 (Huron NWR, Scarecrow, Pismire, and Shoe Islands).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* General public access to observe and/or photograph wildlife and refuge habitats including the means of access such as boat or snow machine and then hiking or snowshoeing on the refuge. Under the National Wildlife Refuge Improvement Act, of 1997, wildlife observation and photography are priority public uses.

*Where is the use conducted?* Huron National Wildlife Refuge is comprised of eight islands. West Huron, or Lighthouse Island, is the only island in the archipelago open to the public and has a dock available for visitor use. On West Huron Island, there is an established trail leading from the boat dock up to the lighthouse area. Another trail leads north from the lighthouse area to the north end of the island where an old fog horn building is located. People can readily branch out from the trail and explore other parts of the island.

*When is the use conducted?* The easiest/safest access to the refuge is via a boat, which normally can occur from March–November. If ice has formed on the lake, access to the island could occur via snow machine. Wildlife observation and photography are most likely to occur

from May–September; however, these activities may occur at any time of the year, but are only permitted during daylight hours.

*How is the use conducted?* All wildlife observation and photography activities will be conducted with the refuge's goals, objectives, and management plans as the guiding principles. Activities pursued under these restrictions allow the refuge to accomplish its objectives and provide for the safety of visitors. Entry on all or portions of individual areas may be temporarily suspended due to unusual or critical conditions affecting land, water, vegetation, wildlife or public safety.

*Why is the use being proposed?* Wildlife observation and photography are priority public uses on National Wildlife Refuge System Lands as identified in the National Wildlife Refuge Improvement Act of 1997. Allowing access to the refuge for wildlife observation and photography is consistent with goals of the refuge and the National Wildlife Refuge System.

**Availability of Resources:**

Approximately \$2,000 is required to maintain refuge signs and to cover logistics to annually get to the island. Currently, with the assistance of the volunteers and the Seney Natural History Association, there is enough staffing and funding available to administer these activities.

**Anticipated Impacts of the Use:**

Wildlife observation and photography can cause minor disturbance to wildlife especially during nesting seasons. In areas where people travel off trails, the impact on wildlife is normally minimal and temporary. Vegetation may be impacted due to foot travel but affects should be minimal due to limited visitation.

Wildlife observation and photography are priority public uses listed in the National Wildlife Refuge System Improvement Act. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and beyond. Increased public stewardship will support and complement Service actions in achieving refuge purposes and the mission of the Refuge System.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and Huron National Wildlife Refuge goals and objectives, wildlife observation and photography can only occur under the following stipulation:

1. The refuge is closed from sunset until sunrise,

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. It promotes public stewardship of natural resources and helps the refuge meet its goals and objectives. It does not materially interfere with or detract from the Service's ability to meet the mission of the National Wildlife Refuge System.

The activities follow all applicable laws, regulations, and policies, including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and refuge goals and objectives. These activities are compliant with the purpose of the refuge and the National Wildlife Refuge System Mission. Operating this activity does not alter the refuge's ability to meet habitat goals and it helps support several of the primary objectives of the refuge.

Refuge Manager:                     /Mark Vaniman/                     Date: 10/9/2012

Regional Chief:                     /Tom Worthington (Acting)/                     Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## Compatibility Determination

**Use:** Environmental Education and Interpretation

**Refuge Name:** Huron National Wildlife Refuge

### Establishing and Acquisition Authorities:

Migratory Bird Conservation Act 16 U.S.C & 7 15d

### Refuge Purpose:

Huron Island Bird Reservation was established in 1905 " . . . as a refuge and breeding ground for migratory birds and other wildlife . . ."

Executive Order 7795, dated January 12, 1938 revoked the executive order from 1905 and established Huron Migratory Bird Refuge.

" . . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. 71 5d (Migratory Bird Conservation Act).

" . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . ." 16 U.S.C. n 668dd(a)(2) (National Wildlife Refuge System Administration Act).

Designated wilderness in 1970 to " . . . secure for the American people of present and future generations the benefits of an enduring resource of wilderness" Public Law 91-504, October 23, 1970 (Huron NWR, Scarecrow, Pismire, and Shoe Islands).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* Environmental education would consist of public outreach and onsite activities conducted by refuge staff, volunteers, teachers, and university professors. Interpretation occurs in less formal activities with refuge staff and volunteers or through exhibits, signs, and brochures.

*Where is the use conducted?* Environmental education and interpretation activities may occur throughout the refuge, but are most likely to occur on West Huron (Lighthouse) Island. West Huron Island features buildings from an old USCG station and has a dock, which provides easy access to the Island. The other seven islands in the refuge are not open to the public except by Special Use Permit. The refuge is located three miles off the south shore of Lake Superior and is inaccessible during the winter. Programs would be given upon request onsite although extensive logistical coordination would have to occur and would be dependent on weather and the lake condition.

*When is the use conducted?* Interpretation occurs throughout the year, whenever a visitor reads a sign, brochure, or the refuge website. Environmental education activities are concentrated in the summer months but can occur at any time. Most activities occur during daylight hours.

*How is the use conducted?* All environmental education and interpretation activities are conducted with the refuge's primary goals, objectives, and habitat management requirements as the guiding principles. Activities done under these restrictions allow the refuge to accomplish its management goals and provide for the safety of visitors. All programs include a description of the U.S. Fish and Wildlife Service and the Refuge System. All of the programs address at least one of a number of wildlife conservation issues such as management, watershed, habitat, wildlife, endangered species, invasive species, etc.

*Why is the use being proposed?* Permitting this activity is consistent with the National Wildlife Refuge System Improvement Act, helps accomplish refuge goals, and promotes understanding, appreciation and support for its mission.

### **Availability of Resources:**

Huron NWR is managed out of the Seney NWR office along with two other remote island refuge units: the remote Kirtland's Warbler Wildlife Management Area and a remote subunit, Whitefish Point. Currently, we have one full-time Visitor Service Manager and a career seasonal Park Ranger to lead the interpretive and environmental education program. With current staff, opportunities exist to improve the interpretive program at Huron NWR with development of interpretive signs and kiosks to be located on the refuge. Approximately \$100,000 would be needed to begin to adequately administer this program.

Trained volunteers and interns provide an integral part of the refuge's environmental education and interpretation program. All the interns and most of the volunteers are based in the Seney NWR area. The refuge does have a Friend's Group, Huron Island Lighthouse Preservation Association based out of L'Anse, which could be a local base for volunteers to help with environmental education and/or interpretive activities.

Every effort is made to meet each request for environmental education and interpretive programs. However, staff, funding, and the location of the refuge have curtailed programs. Due to logistical challenges, the Environmental Education and Interpretive (staff led) programs actually occurring on the island will always be very limited. Based on a review of the current Complex budget, there is sufficient funding to administer this program at its limited current level and ensure compatibility with the purpose for which Huron National Wildlife Refuge was established.

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

Environmental education and interpretation are not expected to have measurable environmental impacts on the refuge, its habitats, or wildlife species. Disturbance to wildlife is limited to occasional incidents such as flushing wildlife. Restrictions on locations for environmental education and interpretation and the numbers of users will assure minimal disturbance to wildlife and other public use activities.

The activities follow all applicable laws, regulations, and policies including Migratory Bird Conservation Act, Title 50 Code of Federal Regulations, National Wildlife Refuge System Manual, National Wildlife Refuge System goals and objectives, and Huron NWR goals and

objectives. These activities comply with the purpose of the refuge and the National Wildlife Refuge System mission. Operating these activities does not alter the refuge's ability to meet habitat goals, and it helps support several of the primary objectives of the refuge.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and Huron NWR goals and objectives, environmental education and interpretation can only occur under the following stipulation:

Environmental education and interpretation activities will occur only when and where they pose little or no threat to wildlife. The impacts of any activity that occurs outside of designated public use areas will be evaluated for its impacts on wildlife. All activities will occur under the guidance of a refuge staff member, volunteer, or trained teacher to assure minimal disturbance to wildlife, minimal vegetation damage, and minimal user conflict between other public uses.

**Justification:**

Environmental education and interpretation are priority public uses for the National Wildlife Refuge System as outlined in the National Wildlife Refuge System Improvement Act of 1997. By facilitating these uses on the refuge, we will increase visitors' knowledge and appreciation of fish and wildlife, which will lead to increased public stewardship of fish and wildlife and their habitats on the refuge and in general. Increased public stewardship will support and complement the Service's actions in achieving the refuge's purposes and the mission of the National Wildlife Refuge System.

Refuge Manager:                     /Mark Vaniman/                     Date: 10/9/2012

Regional Chief:                     /Tom Worthington (Acting)/                     Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2027

## Michigan Islands NWR

### Compatibility Determination

**Uses:** Priority Wildlife-dependent Recreational Uses (Hunting, Fishing, Wildlife Observation and Photography, Environmental Education and Interpretation) on Scarecrow, Thunder Bay, Sugar, Big Charity and Little Charity Islands

**Refuge Name:** Michigan Islands National Wildlife Refuge

### Establishing and Acquisition Authorities:

Michigan Islands NWR was established by Executive Order in 1943. Scarecrow Island was one of the first islands acquired. Thunder Bay Island in was added in 1965 by a USCG/Fish and Wildlife Service agreement. The USCG ceded Lake Michigan's Gull Island to the Service in 1969. Big and Little Charity Islands in Lake Huron's Saginaw Bay were added to Michigan Islands NWR in 1999 via Natural Resource Damage Assessment. Sugar Island in Thunder Bay was added to the refuge in 2010 in partnership with The Nature Conservancy.

### Refuge Purpose:

The primary purpose of Michigan Islands NWR is to serve “. . . as a refuge and breeding ground for migratory birds and other wildlife.” Scarecrow and Little Charity Islands provide habitat for colonial nesting birds, including Herrings and Ring-billed Gulls, Double-crested Cormorants, Great Blue Herons, Black-crowned Night-Herons, Great Egrets, and Common and Caspian Terns. Thunder Bay Island historically harbored large colonies of waterbirds, which, hopefully, will return. All of these islands provide valuable stopover habitat for migrant waterfowl, shorebirds, and songbirds.

Scarecrow Island was designated as wilderness under Public Law 91-504, October 23, 1970. This island is one of three within the Michigan Island Wilderness, which is part of the National Wilderness Preservation System.

In 2000, Scarecrow and Thunder Bay Islands were designated a part of the Thunder Bay National Marine Sanctuary and Underwater Preserve. The designation gives federal protection to more than 100 well-preserved shipwrecks that litter the bottom of Thunder Bay, located near Alpena, MI. Once part of a major shipping channel, this 448 square-mile sanctuary is the first national marine sanctuary in fresh water and is located in an area that was known as “Shipwreck Alley” in the 1800s.

### National Wildlife Refuge System Mission:

The mission 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.

### Description of Uses:

Hunting, fishing, wildlife observation and photography, environmental education and interpretation are priority wildlife-dependent recreational uses, as defined by the National Wildlife Refuge System Administration Act of 1966 (as amended by the National Wildlife Refuge System Improvement Act of 1997). However, Scarecrow, Thunder Bay, Sugar, Big Charity, and Little Charity Islands are currently closed to the public and none of these uses have been permitted.

There is little public demand to access Little Charity, Scarecrow, Thunder Bay, and Sugar Islands. Most of the demand is from local residents and vacationers that are curious to explore the island and its shores during the summer. Occasionally anglers beach on the shoreline, and waterfowlers hunt from the islands.

All of these islands are surrounded by treacherous waters. These waters are shallow and littered with large boulders and shallow reefs. Consequently, the islands are only accessible to boaters that are very experienced with the underwater terrain and have small vessels. Navigating these waters is not safe for the inexperienced boater.

Thunder Bay Island is currently owned by the USCG. The Service manages most of the island as part of Michigan Islands NWR under permits and agreements. The USCG does not allow public access to the island.

Most of the demand for island access occurs at Big Charity Island. A private enterprise owns the former lighthouse keeper's quarters and gives tours to several thousand people annually. These visitors must travel through Service lands as part of the tour. However, the enterprise owns an ingress and egress right-of-way through these lands, which tour members use.

#### **Availability of Resources:**

Significant additional resources would be needed to manage a public use program and facilitate these uses on the islands. Currently, these islands are unfunded, unstaffed, and managed as a satellite refuge via Shiawassee NWR in Saginaw, MI. Investment of several hundred thousand dollars would be necessary to provide safe mooring, restroom facilities, signage, and information materials. A similar investment would be required in visitor services, management, and law enforcement staffing.

#### **Anticipated Impacts of the Uses:**

Impacts resulting from these uses could be significant. Scarecrow and Little Charity Islands harbor large colonies of nesting waterbirds. Bald Eagles nest at Big Charity and Sugar Islands. All of these birds are very sensitive to disturbance during the nesting season and are known to abandon nest sites because of human interference. These islands are currently closed to the public to prevent this disturbance.

#### **Public Review and Comment:**

This compatibility determination was included in the refuge's Draft Environmental Assessment and Comprehensive Conservation Plan. The public had an opportunity to review and comment on the Draft Comprehensive Conservation Plan and this compatibility determination during a 90 day comment period that extended from October 17, 2005 to January 17, 2006.

#### **Determination (check one below):**



## Compatibility Determination

**Use:** Research

**Refuge Name:** Huron National Wildlife Refuge, Harbor Island National Wildlife Refuge, Michigan Islands National Wildlife Refuge

### Establishing and Acquisition Authorities:

Varied. Migratory Bird conservation Act 16 U.S.C & 715d.

### Refuge Purpose:

". . . as a refuge and breeding ground for migratory birds and other wildlife . . ." Executive Order 7795, dated January 12, 1938 revoked the executive order from 1905 and established Huron Migratory Bird Refuge.

" . . . for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. 71 5d (Migratory Bird Conservation Act).

"(for the) . . . conservation, management, and restoration of the fish, wildlife, and plant resources and their habitats for the benefit of present and future generations of Americans . . ." 16 U.S.C. n 668dd (a) (2) (National Wildlife Refuge System Administration Act).

Designated wilderness in 1970 to ". . . secure for the American people of present and future generations the benefits of an enduring resource of wilderness" Public Law 91-504, October 23, 1970 (Huron NWR, Scarecrow, Pismire, and Shoe Islands).

### National Wildlife Refuge System Mission:

The mission is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

### Description of Use:

*What is the use?* The use is research projects conducted by universities and other academic institutions; government agencies such as the Michigan Department of Natural Resources and the U.S. Geological Survey; and private conservation organizations. Research projects will focus on better understanding of refuge wildlife and habitat resources, provide information to improve adaptive management decisions, and increase life history information on species of concern.

A refuge research application accompanied by a written project proposal is required for review and approval before access will be allowed. If approved, access to refuge lands and waters will be limited to the least invasive means required to accomplish the activities. Research will be carried out by professors, students, contractors, and refuge staff and volunteers. Researchers will be required to notify the refuge manager or his/her designee of entry and exit times when conducting research, provide written reports, and make data available to the refuge staff.

*Where is the use conducted?* On lands within the Huron NWR, Harbor Island NWR, and Michigan Islands NWR.

*When is the use conducted?* Research may occur at all times of the year, day or night. However, most research activity occurs during the summer months and daylight hours.

*How is the use conducted?* All research activities will be conducted with the primary goals, objectives and habitat management requirements of the refuge as the guiding principles. Every effort will be made to minimize the impacts of research activities on wildlife and their habitats and avoid conflicts with public use and management activities. A Special Use Permit will be issued for each research project that specifies what, when, where, and how research may be conducted on the refuge.

*Why is the use being proposed?* Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

**Availability of Resources:**

Approximately \$100,000 to administer the research program within the Seney National Wildlife Refuge Complex. Much of the research is funded by grants, other government agencies, and universities; or conducted by students and volunteers. Refuge staff involvement includes reviewing research proposals, supervising or monitoring research activities, reviewing reports, providing some equipment and vehicles, and occasionally participating in field work. Based on a review of the current refuge budget, there is enough funding to ensure administration of this program if compatible with the purposes for which the refuges were established.

**Anticipated Impacts of the Use:**

Disturbance to wildlife and vegetation by researchers could occur through vegetation sampling, capture and handling of wildlife, observation activities, banding, and accessing the study area. It is possible that that direct or indirect mortality could result as a byproduct of research activities. However, the overall impact of allowing well-designed and properly reviewed research to be conducted by non-service personnel is likely to have very little impact on refuge wildlife populations. If the research project is conducted with professionalism and integrity, potential adverse impacts are likely to be outweighed by the knowledge gained about an entire species, habitat, or public use.

**Public Review and Comment:**

This compatibility determination was part of the Draft Comprehensive Conservation Plan and Environmental Assessment, which was announced in the *Federal Register* and available for public comment for 30 days.

**Determination (check one below):**

Use is Not Compatible

Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

To ensure compatibility with National Wildlife Refuge System and island refuge goals and objectives, research can only occur under the following stipulations:

Each research proposal is evaluated to insure the latest techniques are used, and preference is given to projects that focus on better understanding of refuge wildlife and habitat resources, provide information to improve adaptive management decisions, and increase life history information on species of concern.

Researchers must follow their study proposal and comply with the provisions of their Special Use Permit.

Coordination will be maintained with the applied sciences staff.

Researchers must notify the refuge of all ingress and egress to study sites.

A report must be submitted at the end of each field season and at the conclusion of the study.

Researchers must make any data collected under the Special Use Permit available for refuge use.

Refuge research activities are evaluated annually to ensure that their collective impacts do not compromise the goals or objectives of the island refuges named herein.

**Justification:**

This use has been determined compatible provided the above stipulations are implemented. Research and monitoring information is critical to making sound biological decisions in the restoration and management of ecosystems/landscapes for fish and wildlife communities occurring on national wildlife refuges. It is needed to measure the successes and failures of management efforts. This is an important use with long-term benefits that ensures we have the best information possible upon which to base management decisions.

Refuge Manager:                     /Mark Vaniman/                     Date: 10/9/2012

Regional Chief:                     /Tom Worthington (Acting)/                     Date: 12/10/2012

Mandatory 10-or 15-year Re-evaluations Date: 2022