

Compatibility Determination

USE: Snowmobile Access

REFUGE NAME: Pondicherry Division of the Silvio O. Conte National Fish and Wildlife Refuge, hereafter referred to as the Refuge, located in Jefferson and Whitefield, Coos County, New Hampshire.

DATE ESTABLISHED: Pondicherry Division was established on December 22, 2000 when the initial 670 acres was purchased.

ESTABLISHING AND ACQUISITION AUTHORITY: *Silvio O. Conte National Fish and Wildlife Refuge Act (Public Law 102-212) Land and Water Conservation Fund Act of 1965*

REFUGE PURPOSE(S): The following purposes were legislated for the Refuge with the passage of the Silvio O. Conte National Fish and Wildlife Refuge Act.

- (1) to conserve, protect and enhance the Connecticut River populations of Atlantic salmon, American shad, river herring, shortnose sturgeon, bald eagles, peregrine falcons, osprey, black ducks, and other native species of plants fish and wildlife;
- (2) to conserve, protect and enhance the natural diversity and abundance of plant, fish and wildlife species and the ecosystem upon which these species depend within the refuge;
- (3) to protect species listed as endangered or threatened, or identified as candidates for listing, pursuant to the Endangered Species Act of 1973 as amended (16 U.S. 1531 et seq.);
- (4) to restore and maintain the chemical, physical and biological integrity of wetland and other waters within the refuge;
- (5) to fulfill the international treaty obligations of the United States relating to fish and wildlife and wetlands; and
- (6) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with the other purposes stated in this section.

NATIONAL WILDLIFE REFUGE SYSTEM MISSION: 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 USE:

- (a) **What is the use? Is the use a priority public use?** Public snowmobile access is the use

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considered in this Compatibility Determination. This is not a Priority Public Use. This Compatibility Determination pertains only to non-commercial, public snowmobile access on the Refuge; commercial snowmobile tours are a different use that would need to be considered separately.

(b) **Where would the use be conducted?** New Hampshire has more than 6,000 miles of snowmobile trails which are part of a regional trail network that includes Vermont, Maine, and the adjacent Canadian provinces. The Pondicherry Division includes approximately 3.7 miles of Snowmobile Trail Number 5 on what is known as the Powerline Trail which is located within a Public Service of New Hampshire power line corridor that enters the Refuge from the west in Whitefield, proceeds southeast to the Presidential Range Rail-Trail, then due east until it leaves the Refuge near Jefferson Meadows (Figure 1). At this time, only about 1.8 miles of the trail on the Refuge is being actively used (see explanation below). In addition, a three-mile section of the Presidential Range Rail-Trail, owned by the State of New Hampshire and managed by the New Hampshire Bureau of Trails, lies within the Refuge boundary. This is a non-motorized trail, except during the winter with snow cover when snowmobiles and all-terrain vehicles are permitted. Across the Refuge, the railroad grade runs from the state parking lot on Airport Road north to Waumbek Junction, then east to Jefferson Meadows.

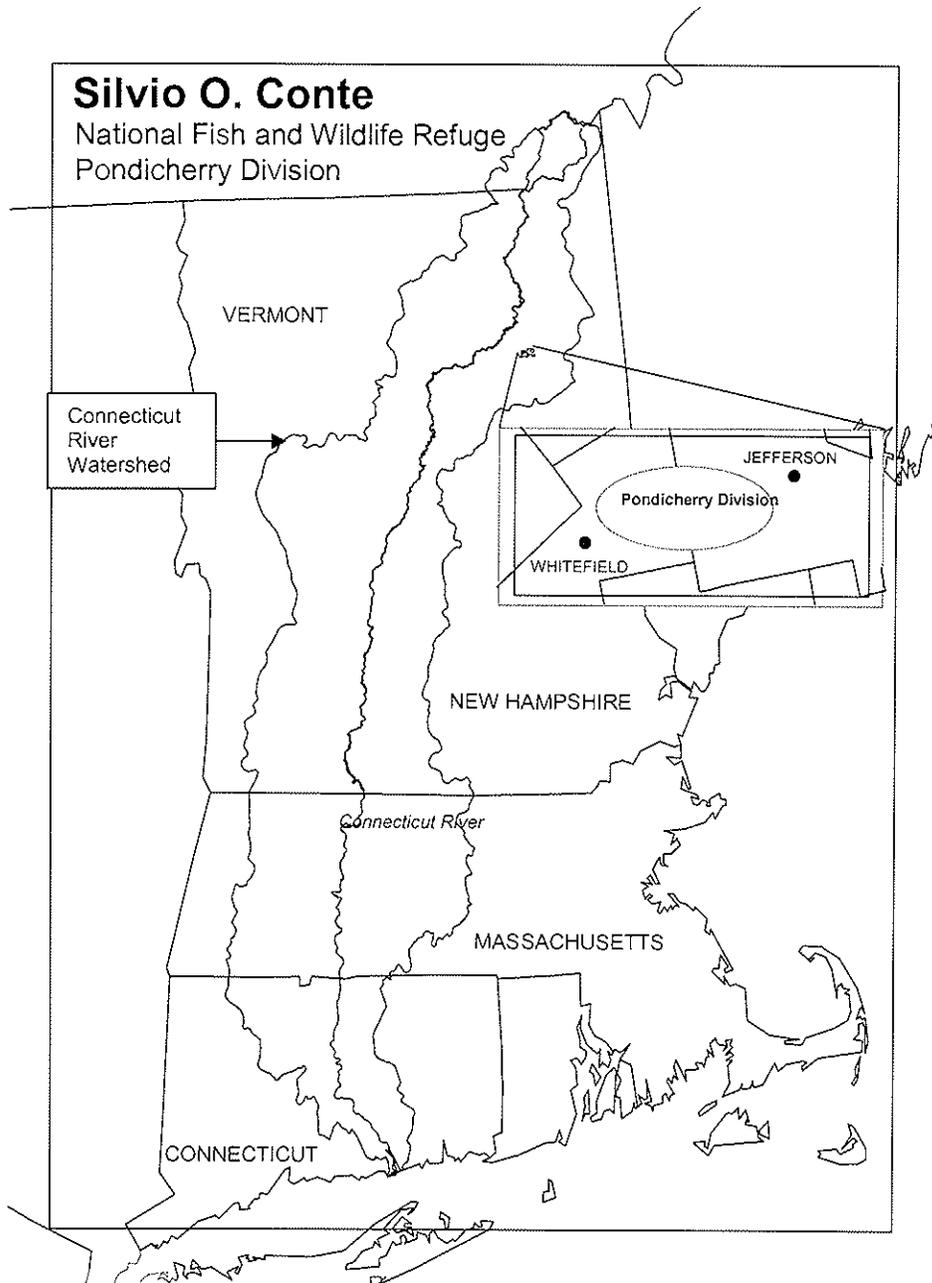
Historically, the snowmobile trail that crossed what is now the Pondicherry Division was located entirely within the utility corridor (Figure 2). The eastern half of this trail on the Refuge was relocated to the rail bed east of Waumbek Junction after conversion to a rail-trail. Although the section east of the Presidential Range Rail-Trail is no longer active, the Bureau of Trails has requested that it remain an alternative to the currently used rail-trail route in the event of storm damage, flooding, forest management activities during the winter, or in the event that portion of the rail line is reactivated (Figure 2). Should that rail line be reactivated, the snowmobile trail would have to be relocated. The Bureau of Trails has requested that the original Powerline trail east of the Presidential Range Rail-Trail remain an option, in the event the rail line becomes active again (Brad Presby, New Hampshire Bureau of Trails, personal communication).

Assuming a 12-foot trail, approximately 5.4 acres or one-tenth of one percent of the Refuge land base is directly impacted by the snowmobile trail. The snowmobile trail itself lies completely within the utility corridor which is maintained in an early forest succession/meadow habitat mix. Wildlife associated with these habitats during the snowmobile season includes a limited number of bird species because most migratory birds are on their wintering areas during this time of year. Some species such as black-capped chickadees and downy woodpeckers that over winter on the Refuge, may spend some of their time in the power line corridor, but most are primarily forest species. Black bears, reptiles, amphibians, bats, beavers, and fish may be found in the corridor, but typically these species are inactive or under ice during the snowmobile season. Species typically active during the winter and potentially found in the power line corridor habitat include snowshoe hares, coyotes, and small rodents. No federally-listed species are known to occur on the Refuge. The Dwarf-wedged Mussel is known from the Connecticut River which is

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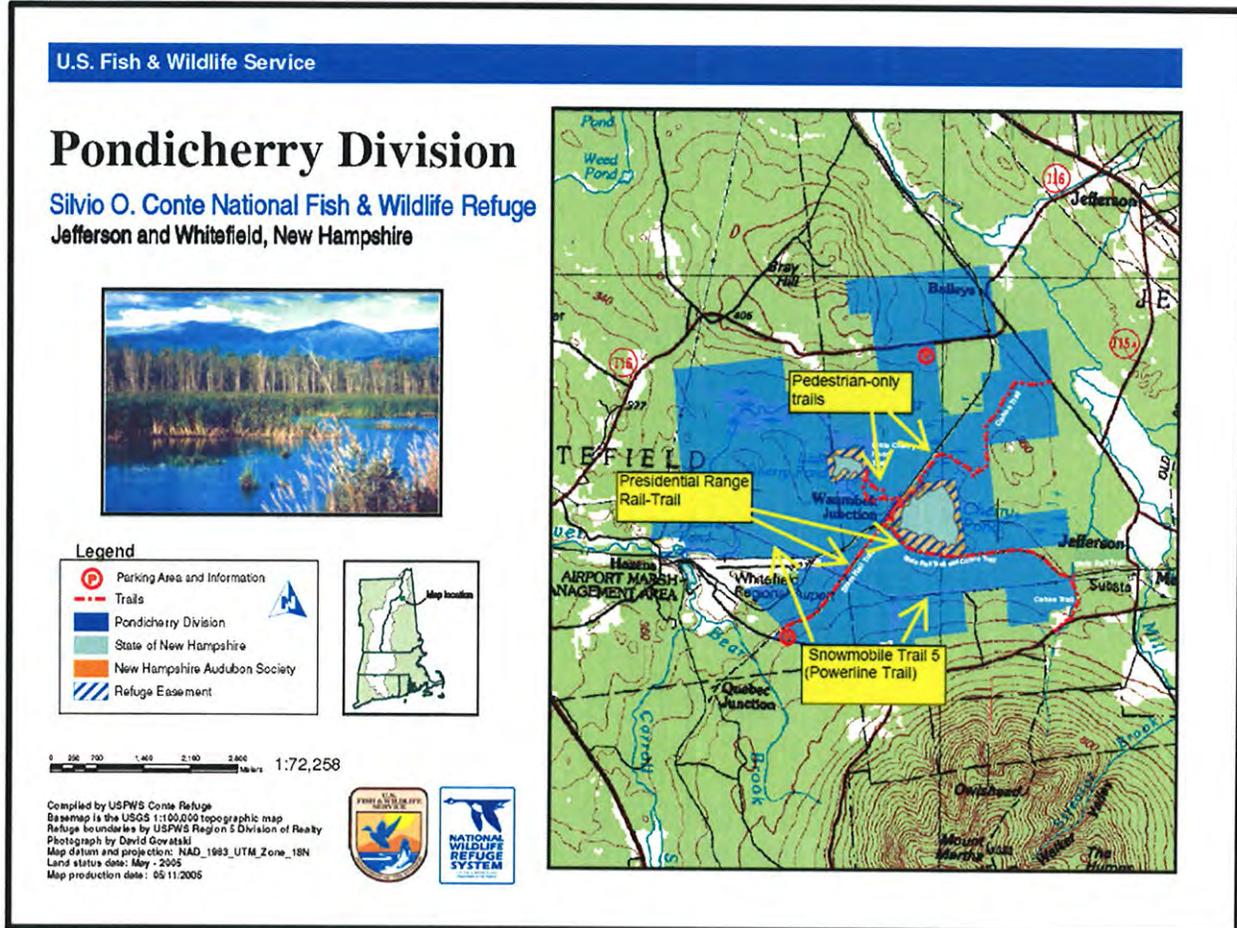
approximately eight miles down the John’s River from the Refuge. A more complete list of wildlife was presented in *Environmental Assessment Pondicherry Division Silvio O. Conte National Fish and Wildlife Refuge*, September 2, 2003.

Figure 1. Pondicherry Division locality map.



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Figure 2. Pondicherry Division Vicinity Map.



(c) **When would the use be conducted?**

Snowmobile use on the Refuge would begin no earlier than December 15 and end no later than April 30. This season length has been successfully implemented at the Nulhegan Basin Division in nearby Essex County, Vermont for several years. It minimizes conflicts with migratory and hibernating wildlife, and soil disturbance since snow cover is a prerequisite to opening the trail. Snowmobile access and trail grooming will be allowed during daytime and nighttime hours. General trail maintenance activities such as brush cutting and down tree removal also may be performed occasionally during the late summer and fall.

(d) **How would the use be conducted?**

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Snowmobilers on the Refuge must comply with New Hampshire Revised Statutes Annotated (RSA) 215:A, *Off Highway Recreational Vehicles and Trails* which includes provisions for annual registration, manufacturing specifications, and rules for lawful operation on public and private lands. Individual snowmobile operators are required to obtain permission to use public and private lands, unless they are on an approved state trail, as is the case with the Powerline Trail.

In New Hampshire, snowmobiles must be registered annually with the New Hampshire Fish and Game Department (Fish and Game Department) unless they are exclusively used on the owner's land. Anyone not a member of a New Hampshire snowmobile club affiliated with the New Hampshire Snowmobile Association must pay an additional thirty dollar fee to the state. The New Hampshire Bureau of Trails (Trails Bureau) is responsible for administering funds used to maintain the state snowmobile trail system (New Hampshire Revised Statutes Annotated (RSA) 215-A:3). Annually, money derived from Off-Highway Recreational Vehicle (OHRV) registrations and unrefunded gasoline taxes is made available to local OHRV clubs by the Trails Bureau through the competitive Grant-In-Aid Program. Local clubs use these funds for trail development, maintenance, construction, grooming, and safety improvements. A portion of the registration fees also support the New Hampshire Fish and Game Department programs in law enforcement, search and rescue, and safety education.

Snowmobile access and use on the Pondicherry Division will comply with applicable federal regulations (50 CFR 27.31), executive orders (11644 *Use of Off-Road vehicles on the Public Lands*, February 8, 1972; and, 11989 *Off-Road Vehicles on Public Lands*, May 24, 1977), and New Hampshire laws (RSA 215-A). An annual Special Use Permit will be issued to the Whitefield Sno-Kings for the purpose of authorizing snowmobile use, trail maintenance, and grooming on the Pondicherry Division. One stipulation of this permit is that the State of New Hampshire carry \$2,000,000 of general liability insurance.

The Whitefield Sno-Kings club will be responsible for funding and carrying out maintenance and infrastructure repair to maintain a safe snowmobile trail on the Refuge. They will install signage (e.g. trail number and speed limit) authorized by the Refuge before the trail opens in winter, maintain those signs throughout the snowmobile season, and remove them when the season ends. The local club also is responsible for grooming the trail on the Refuge throughout the snowmobile season. Grooming will generally be done at night with the frequency dependent on snow and trail conditions. During the late summer or fall, with prior approval in writing by the Refuge Manager, the club may prepare the trail for the upcoming season by cutting back woody vegetation and removing trees that have fallen across the trail. Under the permit, club members may use All-Terrain Vehicles solely to access the trail for maintenance and sign activities during the late summer or fall; however, they must secure permission by notifying the Refuge Manager at least 48 hours in advance.

Refuge staff will meet with the local club responsible for trail maintenance and the Bureau of

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Trails at least annually to discuss and reach agreement on planned activities. Because clubs must secure landowner permission for construction and maintenance grants, the annual meeting also will serve to identify any up-front requirements for work on the Refuge (e.g. compliance with the National Environmental Policy Act).

The Powerline Trail, the only authorized snowmobile trail on Service property, will remain in its current location within the power line corridor. Small location adjustments to address safety concerns will be considered on a case by case basis. Snowmobiles must stay on the two established trails (i.e. Powerline Trail and the state's Presidential Range Rail-Trail) that cross the Refuge. No additional snowmobile trails will be considered on the existing Refuge.

According to Special Use Permit conditions, the Powerline Trail will not open prior to December 15 and will close on or before April 30, each year. The actual length of the season will be dependent on having enough snow cover to protect underlying soils and vegetation.

The speed limit for the Powerline Trail will be 45 miles per hour. This is consistent with the speed limit in effect at the nearby Nulhegan Basin Division for several years. Snowmobile operation must be reasonable and prudent as described in federal regulations (50 CFR 27.31) and state statute (RSA 215-A:6).

Snowmobile use at the Pondicherry Division has not yet been monitored, because the Service acquired the active section of the Powerline Trail after the 2004-2005 snowmobile season. The Refuge intends to install a traffic counter during the 2005-2006 to evaluate the frequency and timing of use. However, snowmobile use has been tracked for several years at the Nulhegan Basin Division in Essex County, Vermont, approximately 30 miles from the Pondicherry Division. Their data indicates that use occurs daily, but there is considerable variation in intensity during a 24-hour period. The majority of traffic occurs between noon and 6:00 pm, and not surprisingly, weekends tend to be the busiest days of the week. This same pattern is expected at the Pondicherry Division.

(e) Why is this use being proposed?

The Pondicherry Division was identified as a Special Focus Area in the Silvio O. Conte National Fish and Wildlife Refuge Final Action Plan and Environmental Impact Statement (USFWS 1995). At the time it was understood to be key wetland habitat for numerous migratory birds. More complete census information from the local birding community and Refuge monitoring have documented at least 230 bird species on the Refuge at some time during the year with 128 of these confirmed as breeders. The high concentrations and diversity of birds during the spring through fall seasons makes the Refuge one of the richest bird concentration areas in the state.

In September 2003 the Service prepared an environmental assessment (EA) to examine the effects of expanding the 670-acre Pondicherry Division (U.S. Fish and Wildlife Service 2003). During that process Refuge staff were made aware of two existing snowmobile trails that intersected lands being considered for inclusion in the Pondicherry Division. One of these trails

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described as a north-south trail between Quebec Junction and Waumbek Junction is located on an old rail bed owned by the State of New Hampshire. The other, listed as the Presidential Rail-Trail in the EA, but also known as the State Snowmobile Trail 5, runs east and west on Refuge property from Waumbek Junction to Jefferson Meadows. Historically, this trail was located within the powerline corridor and the previous owners allowed snowmobile use; however, when the railroad line east of Waumbek Junction was abandoned, the state opened it to snowmobiles during the winter and pedestrians and bicycles during the non-snow months. Now snowmobilers enter the Refuge from the east on the Powerline Corridor to the state rail-trail, which exits the Refuge on the eastern boundary in Jefferson Meadows. The selected alternative in the EA included a provision for allowing snowmobile use on the existing trail if it was found to be a compatible use. In other words, snowmobiling would be allowed if it did not materially interfere with Refuge purposes and the mission of the National Wildlife Refuge System. Since the EA was completed in 2003 most of the property containing the Powerline Trail within the Refuge boundary has been acquired by the Service.

The vast majority of migratory birds found on the Division are breeders or migrants that move south to more temperate climates during the winter. Snowmobiling at Pondicherry will be inconsequential to these species because there is no temporal overlap in use and habitat composition and structure will not be affected. Some such as chickadees, downy woodpeckers, and nuthatches remain in the area yearlong. Most of these yearlong residents and birds that move to the area from farther north are forest species that would be minimally impacted by the snowmobile trail in the power line corridor. There are some species such as snow buntings that are attracted to open habitats and occasionally spend part of the winter in the area. The power line corridor affected by snowmobile use represents only a portion of the meadow habitats on the Refuge available for these species. The entire power line corridor would not be rendered unsuitable for bird use and nearby similar habitats include the adjacent Mount Washington Regional Airport, agricultural lands, and other early succession habitat on the Refuge.

Key winter habitat for most resident wildlife such as big game, gallinaceous birds (e.g. grouse) would be minimally affected by snowmobile presence on the Powerline Trail. Winter thermal cover for many species at Pondicherry is composed of mature evergreen conifers, especially spruce and hemlock. Because this trail is completely within the managed power line corridor on the Refuge, little impact to resident winter wildlife is anticipated.

The Powerline Trail has been active for at least 30 years (Brad Presby, Bureau of Trails, personal communication). This section of trail is part of a much larger network in Coos County that links to other trails in New Hampshire, Vermont, Maine and Quebec. Locally, it serves as a connection between the Town of Whitefield and trails to Berlin, Randolph, and the Mount Washington area.

There are benefits of allowing snowmobile use on the Powerline Trail across the Refuge. From the state perspective closure of this trail would create a gap in a historically popular trail. The

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necessary rerouting would in all likelihood entail new road crossings and trail construction on private lands, if permission could be secured. Moving this trail would result in alteration of habitats not currently impacted and be a significant expense to the State. The current trail location, in the utility corridor has minimal effect on habitat composition and structure, because the entire corridor is kept in a meadow/early succession condition by Public Service of New Hampshire for their transmission lines.

Snowmobiling is a popular winter activity in New Hampshire and retaining this trail would allow the Refuge to introduce Pondicherry, the National Wildlife Refuge System, and the Service to people that may not traditionally recreate on Refuges. It also extends the Refuge reach because people come from throughout the Northeast to snowmobile in northern New Hampshire. Refuge staff in cooperation with the other conservation partners (i.e. New Hampshire Bureau of Trails, New Hampshire Fish and Game Department, New Hampshire Audubon, and the Friends of Pondicherry) will construct an informational kiosk at the intersection of the Powerline Trail and Presidential Range Rail-Trail to facilitate outreach. This is a natural stopping location that will allow the Refuge and partners, to connect with a substantial number of riders through interpretive displays, brochures, fact sheets, and other pertinent information that will increase their understanding of the importance of this Refuge and how it fits into the larger conservation efforts of the Service.

An unknown number of snowmobilers that cross Pondicherry engage in one or more priority public uses, particularly wildlife observation and photography. Moose, deer, and coyotes are active on the Refuge in winter and seeing them during a warm day would not be unusual. The southwest shore of Cherry Pond, near the State Rail-Trail, is a popular photo stop because the vista includes Cherry Pond in the foreground and a spectacular view of the Presidential Range. Today most snowmobilers probably do not even know they are on a National Wildlife Refuge, however, continued use of this existing trail through the Refuge has the potential to cultivate support from a non-traditional public sector and give them an appreciation of the conservation importance of the Pondicherry Division.

AVAILABILITY OF RESOURCES: Sufficient Refuge resources in terms of personnel and budget are available to administer snowmobiling on the Refuge. The Pondicherry Division is approximately three hours from the Turners Falls, Massachusetts headquarters, but New Hampshire Conservation Officers have the authority to enforce state regulations on Refuge lands and are the primary law enforcement agency for snowmobiling in the state. This would be a continuation of how snowmobile laws and regulations were administered when the land was owned and managed by the previous owners. The Silvio O. Conte Refuge shares a Refuge Law Enforcement Officer with Lake Umbagog Refuge, and this officer would spend part of his time in enforcement activities at Pondicherry. In addition, an active Friends Group keeps Refuge staff apprised of issues and opportunities based on their frequent visits to both Service and Audubon lands. Conte staff will be responsible for on-site evaluations to resolve public use issues,

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monitor and evaluate impacts, maintain Refuge boundaries and signs, and meet with state officials, adjacent landowners and the interested public, when necessary.

Annualized costs associated with the administration of snowmobiling on the Refuge are estimated below:

Initial Costs

Document preparation/review/public comment	\$3,000
Supplies (kiosk construction, brochures, kiosk notices)	\$1,000
Traffic counter purchase	\$1,500
Law enforcement/responding to the public	<u>\$3,000</u>
Total Initial Costs	\$8,000

Annual Costs

Issue & administer SUP (GS-12 Refuge Manager)	\$1,000
Refuge law enforcement (GS-7 Park Ranger) shared with the Nulhegan Basin Division and Lake Umbagog	\$1,000
Resource impact evaluation (GS-12 Refuge Manager)	\$ 500
Visitor contacts (in addition to Law Enforcement) (GS-12 Assistant Manager)	\$1,000
Traffic counter maintenance/data collection/analysis (Wage Grade Laborer)	\$ 500
Miscellaneous	<u>\$ 500</u>
Total Annual Costs	\$4,500

The estimated costs listed above are primarily salary costs. Monitoring public use and providing law enforcement are required for properly administering public use programs; therefore, these operations are accounted for in budget and staffing projections. Additional law enforcement on the Refuge is provided by Conservation Officers from the New Hampshire Fish and Game Department at no cost to the Refuge.

No special facilities or resources are needed to administer snowmobile use on the Pondicherry Division. There is no cost to the Refuge for trail maintenance which is provided by the local snowmobile clubs with funds from the New Hampshire Trails Bureau. The Powerline Trail is not

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used during the rest of the year, so no additional maintenance considerations are necessary.

Based on a review of the budget allocated for recreational use management, I certify that annual funds are adequate to ensure compatibility and to administer and manage the recreational use described above.

ANTICIPATED IMPACTS OF THE USE: Potential direct negative impacts resulting from snowmobile use on State Trail Number 5 include habitat loss and damage, pollution, and disturbance to wildlife and other Refuge visitors. An indirect positive effect of allowing this type of access will be winter access for a segment of the public that may not otherwise spend time on the Refuge. By constructing an informational kiosk at a traditional stopping location, these visitors will be exposed to educational panels and materials that will inform them of the Refuge's role in wildlife conservation in the Connecticut River Watershed and Northern New England, the Refuge System and the Service.

Habitat Loss and Damage

The Powerline Corridor probably has been used since the 1970s, although the exact date of trail opening is not known. This generally east-west oriented trail directly affects approximately 5.4 acres of land or about 0.1 percent of the Refuge land base. The entire trail is located in the utility corridor, which is maintained in a meadow/low shrub successional stage by Public Service of New Hampshire. The direct loss of habitat is considered inconsequential because travel and trail grooming only commences once there is sufficient snow pack. Trails are closed in the spring or during the season if patches of ground become exposed.

Impacts to vegetation are primarily the result of trimming shrubs and sapling trees as part of snowmobile trail maintenance; however, similar impacts occur throughout the power line corridor to keep vegetation from growing into the electrical lines. Trimming associated with the snowmobile trail is done by hand or with power brush cutters which sets back growth, but does not kill the plants. Brush cutting only occurs when woody plants encroach within the trail corridor or are tall enough to protrude above the snow surface. No federal or state listed plants are known from the area encompassing the snowmobile trail. Direct habitat loss and damage on the 5.4 acres is considered minimal and insignificant to the 5,336-acre Refuge as a whole.

Pollution from Snowmobiles

Snowmobiles emit pollutants, mainly through exhaust systems from an incomplete combustion of fuel. According to information cited by the U.S. General Accounting Office (Federal Lands: Agencies Need to Assess the Impact of Personal Watercraft and Snowmobile Use, GAO/RCED-00-243, September 2000), the National Park Service concluded, primarily through analyses of studies of the impacts of snowmobiles in Yellowstone and Grand Teton National Parks, (Parks), that use of snowmobiles caused increased levels of air pollution. Snowmobiles reportedly

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produced 68-90 percent of the hydrocarbons and 35-69 percent of carbon monoxide emissions at those parks during the winter. A study cited in the Final Comprehensive Conservation Plan and Environmental Impact Statement (U.S. Fish and Wildlife Service April 2000) (CCP) for the Little Pend Orielle National Wildlife Refuge (Little Pend Orielle Refuge) in northeastern Washington claimed that average snowmobile emission per hour is 216 grams of hydrocarbons and nitrous oxide and 564 grams of carbon monoxide per horsepower. Reportedly, a 54-horsepower snowmobile engine was estimated to emit approximately 360 times as much pollution per hour as an automobile. Other studies cited in the CCP claimed that such air pollutants can result in foliar injury, reduced productivity, tree mortality, decreased growth, altered plant populations, modifications in species diversity, increased susceptibility to pests and diseases, and pollutant depositions that melt into streams during spring snow melt. Neither the exposure levels nor duration necessary to cause these effects were stated. These impacts were derived from a literature source and the CCP does not say whether these impacts were evident on the Refuge. The amount and disposition of snowmobile emissions at the Pondicherry Division have not been studied. The effects of snowmobile exhaust emissions on Refuge habitat or wildlife also have not been studied, but the types of vegetative impacts described in the Little Pend Orielle Refuge CCP are not apparent at Pondicherry. It should be noted that this information is based on two-stroke engines. The effects of snowmobiles on noise and air pollution is expected to decline in the future because quieter and cleaner four-stroke snowmobiles are becoming more popular.

Disturbance to Wildlife

According to the GAO report cited above, some studies indicated that the rapid movement of snowmobiles disturbed wildlife and caused stress during the season of highest wildlife mortality in the Parks. In the Little Pend Orielle Refuge CCP it was noted that studies differed in their conclusions about snowmobile-caused physiological stress in deer and displacement from winter shelter. The CCP mentioned studies from Ontario, Canada and Maine that concluded that snowmobile use did not cause significant negative impacts on wintering deer. The Powerline Trail is fully contained within the Public Service of New Hampshire utility corridor. The Refuge does not have extensive winter thermal cover nor is there a substantial winter yard and the snowmobile trail does not intersect any forested habitat that could serve as winter thermal cover. Although the noise from snowmobiles carries into the adjacent forest, the effects on deer and other resident wildlife is unknown, but winter use of the Refuge by resident wildlife continues. A more significant impact to resident ungulates during the past few decades undoubtedly has been forest management that reduced the extent of mature, conifer forest which serves as the principal winter habitat for deer.

Studies mentioned in that CCP indicted that the hard packed snow on snowmobile trails might affect predation rates of coyotes on snowshoe hares, thereby affecting the prey base of the federally-threatened Canada Lynx. They also state that packed trails allowed coyotes to expand their range to higher elevations where snow depths were otherwise too deep.

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Although the general notions regarding snowmobile use and potential disturbance to wildlife in the reports cited above may be valid for the Parks and Little Pond Orielle Refuge, there is little direct implication for the Pondicherry Division. The Refuge is not within a resident lynx population range, although a wandering individual was recently documented in the vicinity; western species such as elk described in the Park studies are absent. Most of the federal trust species for which the Refuge was established (e.g. neotropical migratory birds, waterfowl, American woodcock) are on their winter ranges before the start of snowmobile season and do not return in the spring until after the trails close. The trail on the Refuge does not intersect any habitats that would serve as winter concentration areas and the limited area of impact does not substantially impact small mammals that utilize the early succession/meadow subnivean (i.e. below the snow surface) habitats of the power line corridor.

Snowmobile travel on the Refuge is restricted to the established snowmobile trails. Restricting snowmobile travel to the Powerline Trail and the state-owned Presidential Range Rail-Trail confines any potential visual or auditory disturbances to wildlife to a specific area and therefore limits the area of impact on the Refuge. The timing, location, and occurrence of snowmobile use are fairly predictable. Snowmobile use of trails is primarily a daytime activity, based on studies at the nearby Nulhegan Basin Division. Likewise, trail maintenance at night is limited and the grooming machines are relatively quite and slow.

Such spatial and temporal predictability of use likely results in acclimatization by wildlife in the vicinity. Wildlife avoiding the trail still have over 98 percent of the Refuge land base available. It is more likely that wildlife would avoid the power line corridor because people on snowmobiles would be readily visible. Assuming the width of the power line corridor is 200 feet and the length is 3.7 miles, the total area impacted (about 90 acres) is less than two percent of the Refuge and the impacted area is not the principal winter habitat for most resident wildlife.

Given our current understanding of snowmobile use and wildlife present during the winter on the Pondicherry Division, we do not consider that the impacts to the Refuge wildlife populations materially interferes with or detracts from the accomplishment of Refuge purposes or the mission of the National Wildlife Refuge System.

The effects of snowmobile presence on the Refuge have an unknown effect on the physiology and behavior of wildlife. Based on observations by Refuge staff at the nearby Nulhegan Basin Division, ruffed grouse, snowshoe hare, moose, white-tailed deer, coyote, red squirrel, fisher, bobcat, and porcupine cross, parallel, and/or travel within snowmobile trails. When not in use, groomed trails may serve as winter travel routes because they are easier to walk on and therefore reduce energy expenditures. As previously discussed, snowmobile presence on the trail probably affects use of the utility corridor. White-tailed deer, moose, snowshoe hare, coyotes, and other resident mammals likely avoid most of the corridor during snowmobile use periods. Individual animals caught in the utility corridor when snowmobiles drive by undoubtedly flee back into the forest.

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Wildlife expends energy when they move away from a disturbance. During winter these expenditures can become crucial to survival depending on several factors. Specifically, the timing, frequency, duration, and extent of the disturbance, physical condition of the individual animal, weather, habitat, forage availability and quality, and snow conditions. Although individual animals undoubtedly come in visual or auditory contact with snowmobiles on the Refuge and react by moving back into cover, there is little evidence to suggest that wildlife populations are being negatively affected. No specific evaluation of disturbance has been done at the Pondicherry Division, but the Nulhegan Basin Division located in Essex County, Vermont has submitted a funding request to study disturbance responses and biological implications. A study there would be applicable to the Pondicherry Division.

Wildlife that hibernate or go into a dormant state during the winter such as black bears, reptiles, amphibians are not directly impacted by snowmobile travel because it is limited to the utility corridor which affords little, if any, good winter hibernaculum habitat. Some small mammals (e.g. voles) remain active during the winter under the snow surface and the compacted snowmobile trail might be a barrier to movement. However, only a small portion of the Refuge (0.1%) and the utility corridor (6%) would be unavailable to subnivean species. This is not considered significant in terms of winter movements or population survival.

Impacts to Visitors

Snowmobile engine noise increases with the amount of traffic and proximity of the listener. According to the GAO report cited above, officials believed that snowmobile use in the Parks conflicted with the solitude of Park visitors, and the noise had an impact on the natural quiet of the park setting. Snowmobile noise levels have not been documented at the Pondicherry Division; however, New Hampshire regulations require compliance with the Snowmobile Safety and Certification Committee standards. The standard for a snowmobile at full throttle is 78 decibels plus 2 decibels at 50 feet and 73 decibels plus 2 decibels for snowmobiles moving at 15 miles per hour. These decibel levels approximately equate to that experienced along a busy street (<http://www.asha.org/public/hearing/disorders/noise.htm>). Snowmobile noise on the Refuge is loudest near the intersection of the Powerline Trail and 102 (Presidential Range Rail-Trail) where traffic from north/south and east/west meet. Although the sound is present to some degree on much of the Refuge, attenuation reduces the levels so that if discernable, it becomes more of a background sound on the northern portions of the Refuge. There are few if any areas of the Refuge completely devoid of motorized sounds because it is surrounded by public roads. Currently hikers have limited access during the winter. The only maintained trails into the Refuge are State Snowmobile Trail 102 from the south and the Powerline Trail from the east. People hiking, snowshoeing, and skiing have the option of these groomed snowmobile trails or using the Cohos and Little Cherry Pond hiking trails, or the old logging road system. Many people choose the the rail-trail because it is easy walking and the trail is easy to follow. However, skiing and snowshoeing on the existing hiking trails and old road system is becoming increasingly popular. Obviously having hikers and snowmobilers share a trail is not ideal. The

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Refuge has a public access plan that will increase the number of trails dedicated to pedestrians as funds become available. This would help to spatially separate these two uses giving people that seek more of a backcountry experience additional options at the Pondicherry Division.

Summary of Anticipated Impacts

In summary, the GAO report, Little Pend Orielle CCP, and studies cited in those publications identify and discuss snowmobile impacts to wildlife, their habitats, and other outdoor recreational users. Clearly, snowmobiles can have an effect on wildlife when the two are in close proximity. The typical reaction of wildlife is to move into cover to avoid the disturbance. Snowmobile use on the Pondicherry Division will be restricted to the Powerline Trail which crosses the Refuge east to west, and a second trail, State Snowmobile Trail 102, on the state-owned rail-trail from Waumbek Junction to the southern Refuge boundary. Based on our understanding of the use impacts to wildlife are primarily to individual animals that come in contact with the trail and/or snowmobiles using the trail. There is no evidence that snowmobile use on the Powerline Trail will have a deleterious impact on wildlife populations at the Pondicherry Division, nor the federal trust species for which the Refuge was established (i.e. migratory birds). Future studies planned for the nearby Nulhegan Basin Division will improve our understanding of snowmobile use. At this time, based on the information available; including the limited extent of the affected area, wildlife species present during the winter, and impacted habitats; and, professional judgment, regulated snowmobile use on the Powerline Trail does not materially interfere with or detract from the purposes for which the Refuge was established or the mission of the National Wildlife Refuge System. Snowmobile use does provide the public with an opportunity to enjoy and experience the winter landscapes and engage in wildlife-oriented recreation, including Priority Public Uses, in support of Refuge Purpose Number 6. It also gives the Refuge a chance to inform a non-traditional refuge visitor about the Pondicherry Division, Silvio O. Conte NFWR, National Wildlife Refuge System, and the U.S. Fish and Wildlife Service. From the perspective of a snowmobiler and the New Hampshire Bureau of Trails, the trail on Refuge property is an important connection to the trail networks that lie beyond the Refuge boundary.

PUBLIC REVIEW AND COMMENT: Notices soliciting public review and comment were published in the Caledonian Record (December 14, 2006) and Coos County Democrat (December 20, 2006). Four letters were received during the comment period. Three of these were in support of allowing snowmobiles on the Powerline Trail. The other was generally opposed to snowmobiles, particularly on the state-owned Presidential Range Rail-Trail, but suggested that the Powerline Trail was a good alternative. In addition, the New Hampshire Bureau of Trails was consulted because they have regulatory authority for snowmobiling in the state. Below is a summary of the comments and

Comment: The New Hampshire Bureau of Trails suggested that a maximum speed limit of 45

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miles per hour be considered for the section of Powerline Trail (State Trail Corridor 5) on the Refuge.

Response: Statewide, snowmobilers are required to operate snowmobiles at speeds that are "...reasonable and prudent under the existing conditions..." with a maximum speed limit of 45 miles per hour (mph) on an approved trail. State Trail Corridor 5 extends the length of the state and is a primary route for snowmobiling between Littleton and Gorham. Except for specific, regulatory speed limits for plowed roads, trail connectors, parking lots, trail junctions, etc. the maximum speed limit is 45 mph across the state. The original intent of the proposed 35 mph limit on the Refuge was to require a speed that would be safe. Based on their experience, the Bureau of Trails considers 45 mph to be a safe speed for this trail because it is straight with good line of sight distances. Reducing the speed across the short section on the Refuge could cause confusion and would not likely enhance safety. The speed limit on the Refuge will be 45 mph, and will be posted on each end of the trail, along with signs that require operators to stay on the groomed trail.

Comment: There was disagreement with the conclusions reached regarding the amount of pollution and noise emanating from snowmobiles. The information presented was primarily based on 2-stroke engines and it was pointed out that 4-stroke engines have been available since 2003. These engines are quieter and emit less pollution. Another person felt the impacts of noise and air pollution were unacceptable.

Response: We agree that the proportion of four-stroke to two-stroke snowmobiles has increase during the past few years. However, most snowmobiles used today continue to be two-stroke models. The anticipated impacts on wildlife and resources were based on the common snowmobile in use today. It is recognized that these effects will lessen in the future as because there will be more four-stroke engines in use and this is now reflected in the document. Snowmobiles use on the Refuge will be limited to the Powerline Trail. The majority of the Refuge will be unaffected by this use.

Comment: Another commenter felt that snowmobiling causes unacceptable damage to the environment and impacts to wildlife, and should not be allowed on the "Pondicherry Wildlife Refuge," referring to the property owned in fee by the Audubon Society of New Hampshire. References were provided.

Response: The effects of snowmobile use through the powerline corridor were discussed. In summary, the noise generated from snowmobiles and presence of people is expected to affect wildlife use in the corridor. Winter snowmobile use is not expected to have a significant impact on the division's emphasis resources because it was established to conserve the intact northern forest habitats and wetlands, and protect nesting migratory birds. The corridor has been actively

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managed to retard forest growth for decades, so there is no change in habitat structure or composition proposed. The majority of birds that nest at Pondicherry migrate south during the winter, and most of those that remain are forest associates, using habitats away from the snowmobile trail. The effects of snowmobiles are anticipated to decline in the future as four-stroke engines become more prevalent. The full discussion begins on page ten.

Comment: The other snowmobile clubs in Coos County offered to assist the Whitefield Sno-Kings with maintenance and improvement projects on the Refuge.

Response: No response necessary.

Comment: There was general consensus among the commenters that the Powerline Trail across the Refuge, which has been open for at least 30 years, is the appropriate location for snowmobiling.

Response: The Compatibility Determination proposes to keep this historical snowmobile available across the Pondicherry Division. The eastern half of this corridor is not currently being used because it parallels the state rail-trail from Waumbek Junction to Jefferson Meadows. A more complete discussion of this is found on page two.

Comment: Snowmobiling on the Powerline Trail is a compatible use. Many nesting bird species have migrated south to wintering grounds and the remaining wildlife have adapted to the presence of people and snowmobiles on the trail. Wildlife harassment does not seem to be a problem based on the writers frequent visits to the Refuge.

In contrast, another felt the use was incompatible and the effects on wildlife were unacceptable.

Response: As discussed, impacts of snowmobiles on wildlife are probably limited to certain species because the trail on the Refuge is confined to the early succession/meadow habitats of the powerline corridor. Species that winter in the forests (e.g. woodpeckers, chickadees) probably are not influenced substantially by snowmobiles on the trail. However, an ongoing study at the nearby Nulhegan Basin Division will help us better understand and more effectively manage the effects of snowmobiles on wildlife.

Comment: Litter has been a problem during the snowmobile season, but it is cleaned up by volunteers in the spring.

Response: The Whitefield Sno-Kings will be the local club responsible for maintaining the trail and signs. They will do this work under a Special Use Permit while on the Refuge. That permit will include a clause requiring that periodic litter removal take place during the winter.

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Comment: The local communities of Jefferson and Whitefield derive substantial economic benefits from snowmobile use.

Response: No response necessary.

Comment: All-terrain vehicles, motorcycles, or any other motorized recreational equipment during the snow-free months are not appropriate within the Pondicherry Division.

Response: Snowmobile use of the Powerline Trail is the only use being considered in this document, and the state does not allow motorized use on the rail-trail outside the snowmobile season.

Comment: Power pole guy lines should be covered with high visibility plastic, and that signage be improved.

Response: Refuge staff will take a look at the guy lines to determine the appropriate course for making them obvious to snowmobilers. Speed limit and stay on trail signs will be posted on both ends of the trail where it enters the Refuge. Signs on the state rail-trail are under the jurisdiction of the Trails Bureau.

Comment: There is a need for a new pedestrian trail from the new parking lot on State Route 116 to Cherry Pond to offer snowshoers and skiers an alternative to the state rail-trail which is typically used by snowmobilers during the winter.

Response: The Refuge in conjunction with its partners developed a Public Access Concept for the Pondicherry Division in 2005. We are implementing this strategy as funding becomes available. One of the proposed trails will extend from the State Route 116 parking lot to the northern edge of Cherry Pond.

Comment: Snowmobiling should be restricted to the Powerline Trail and not allowed on the Presidential Range Rail-Trail. This abandoned railroad bed is popular for hikers, snowshoers, and skiers, and it is located adjacent to the sanctuary owned by the Audubon Society of New Hampshire.

Response: Jurisdiction of snowmobiling at the Pondicherry Division is limited to lands owned in fee title by the U.S. Fish and Wildlife Service. The abandoned railroad bed, now part of the Presidential Rail-Trail, is owned and managed by the State of New Hampshire. While this Compatibility Determination provides a possible alternative to the section of rail-trail that passes near Cherry Pond, authority over that trail rests with the state.

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Comment: Snowmobiling was not a traditional use of the railroad beds. The “Pondicherry Refuge” has been motorless for decades and allowing snowmobiles is a major change in use. Also, the map did not clearly display which trails were being evaluated and whether snowmobiling could occur on other trails shown on the map.

Response: The Powerline Trail and Presidential Range Rail-Trail were described on page two of the Draft: “Historically, the snowmobile trail that crossed what is now the Pondicherry Division was located entirely within the utility corridor (Figure 2). The eastern half of this trail on the Refuge was relocated to the rail bed east of Waumbek Junction after conversion to a rail-trail. Although the section east of the Presidential Range Rail-Trail is no longer active, the Bureau of Trails has requested that it remain an alternative to the currently used rail-trail route in the event of storm damage, flooding, forest management activities during the winter, or in the event that portion of the rail line is reactivated (Figure 2).” This Compatibility Determination only applies to the Powerline Trail corridor on property owned by the U.S. Fish and Wildlife Service. We included the rail-trail in our discussions because it lies within the Refuge boundary; however, this trail is owned and managed by the State of New Hampshire. It is not within the jurisdictional purview of the U.S. Fish and Wildlife Service and consideration of its continued use as a snowmobile trail is outside the scope of this document.

There is confusion with the names used to refer to Pondicherry. The original Pondicherry Wildlife Refuge was a 166-acre sanctuary surrounding Cherry and Little Cherry ponds that was acquired by Audubon Society of New Hampshire in the early 1960s. In this document those lands are referred to as Audubon lands. References to the Pondicherry Division or Refuge are specific to land owned and managed by the U.S. Fish and Wildlife Service.

Snowmobiling has occurred for 30 years or more on that portion of the Powerline Trail that traverses the Pondicherry Division. We agree that snowmobile use of the Presidential Range Rail-Trail, adjacent to Audubon’s land began when the rail line was abandoned several years ago.

There are only two snowmobile trails within the National Wildlife Refuge boundary and they are now more clearly designated by name (in yellow boxes) on the map: Powerline Trail (U.S. Fish and Wildlife Service), and Presidential Range Rail-Trail (State of New Hampshire). The trail north of Cherry Pond is known as the Colonel Whipple Trail which is only open to pedestrian access.

Comment: Increased patrols and closed areas are needed.

Response: Enforcement of snowmobile use, including the trail on the Pondicherry Division, is

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typically handled by the New Hampshire Fish and Game Department. This will be augmented by a recently hired Refuge Law Enforcement officer whose patrol area includes the Pondicherry Division. Snowmobile use on the Refuge will be restricted to the Powerline Trail. Signs at both ends of the trail will clearly state that snowmobiles must stay on the trail.

Comment: Use of the “Pondicherry Refuge” should ^{be} restricted to snow machines because of conflicts and air pollution.

Response: As described on page 12, about two percent of the Pondicherry Division will be affected by the snowmobile corridor, and that corridor is not a trail developed or used by pedestrians. There are other developed pedestrian-only trails on the Pondicherry Division, and old logging roads that are used by skiers and snowshoers. In addition, the Refuge has begun development of a Public Access Concept that will eventually add two new trails, one of which will connect the parking lot on State Route 116 with Mud and Cherry Ponds.

DETERMINATION:

THIS USE IS COMPATIBLE WITH THE FOLLOWING STIPULATIONS
THIS USE IS NOT COMPATIBLE

 X

(Check One)

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY: The administration of snowmobile access and use on the Refuge will comply with 50 CFR 27 and New Hampshire RSA 215-A. The administration and management of the use as described in Section “(d)” above, and consideration, evaluation, and assessment of the impacts of the use as described in the “Anticipated Impacts of the Use” above, document our compliance with Executive Orders 11644 (Use of Off-Road Vehicles on the Public Lands, February 8, 1972) and 11989 (Off-Road Vehicles on Public Lands, May 24, 1977) as summarized below.

(1) Specific areas and trails shall be designated where off-road vehicle (ORV) use is either permitted or prohibited.

Public snowmobile travel on the Refuge will be restricted to the Powerline Trail, part of State Snowmobile Trail 5, which will be depicted on local snowmobile maps and signed on the Refuge. There also will be signs that require snowmobilers to stay on the developed trail. A Refuge map with this snowmobile trail will be posted on the three informational kiosks, provided to local retail outlets, and given to local personnel of the State Bureau of Trails and Fish and Game Department for distribution.

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(2) Designated areas and trails shall be located to minimize damage to soil, watershed, vegetation, or other resources of the public lands.

The Powerline Trail is located in a Public Service of New Hampshire utility corridor easement. Snowmobile impacts to natural communities and native wildlife are limited because vegetation development and succession are periodically retarded to keep plants from growing up into the power lines. Damage to soils and vegetation is minimal because the ground is frozen and a snow cover must be present for the use to occur; damage to water is minimized because snowmobiles travel on a hard-packed snow cover, not across water; and, damage to other resources is limited by restricting snowmobile use to the established trails.

(3) Areas and trails shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats.

Wildlife harassment is minimized because: a) trust species (i.e. migratory birds) are generally absent from the Refuge during the winter; b) many resident species are dormant, under ice (e.g. beavers, muskrats, fish), or snow (i.e. subnivean wildlife); c) the Powerline Trail does not intersect areas or habitats with significant concentrations of wildlife, including deer winter yards; and, d) most wildlife populations active on the Refuge during the winter are presumed to have acclimated to snowmobiles on through the powerline corridor during the past 30 years. The restricted area involved and predictability of use, in time and space, make it reasonable to assume that resident wildlife populations have adapted to this long-term use.

(4) Trails shall not adversely affect the natural, aesthetic, or scenic values of the lands.

The Powerline Trail will not measurably affect the natural, aesthetic, or scenic values because: a) The amount of land directly impacted by the trail is only 5.4 acres or 0.1 percent of the 5,336-acre Refuge; b) The trail lies completely within a 200-foot utility corridor easement where vegetative succession is retarded to keep trees from interfering with the power lines. The visual appearance of the meadow-like corridor is markedly different than the surrounding forest. Thus the presence of the snowmobile trail in this unnatural setting does not detract from the natural, aesthetic, or scenic values of the Refuge; c) During the spring to fall seasons the trail is hard to discern in the meadow-like corridor. The snow pack required for snowmobiling protects the ground surface, and the mechanical treatment of vegetation on the trail itself does not permanently damage plants; f) Trail signs are few in numbers and only up during the winter season; and, g) Litter associated with snowmobiling is removed by the snowmobile clubs at the end of the season.

(5) Operating conditions shall be directed at protecting resource values, preserving public

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health, safety, and welfare, and minimizing use conflicts.

Resources values are protected because snowmobile operating dates depend on sufficient snow pack must be on the ground for the operation of snowmobiles and groomers without causing resource damage. Use is discontinued if conditions become unsuitable. Public safety, health, and welfare are preserved and use conflicts minimized because applicable provisions of 50 CFR 27.31, New Hampshire RSA 215-A. Specifically, use is limited to the designated snowmobile trail, the state speed limit applies on this trail, noise level limits must comply with state regulations, vehicles must meet the federal and state standards for safe operation, reasonable and prudent operation is required, unsafe trail conditions will result in closure. Pedestrian visitors are not precluded from using the snowmobile trail on the Refuge. They can snowshoe or ski anywhere else on the Refuge to avoid snowmobiles, and a favorite area is the network of logging roads on the north side of the Refuge. The Refuge is currently planning a trail system for the Pondicherry Division specifically designed for pedestrian use that will increase the opportunities for hiking, snowshoeing, and skiing.

(6) Areas and trails where ORV use is permitted are well-marked and information about location and conditions for use are made available to the public.

Recreational snowmobile use at the Pondicherry Division is limited to the Powerline Trail, which appears on local club and state trail maps. There are two informational kiosks, one at the Trail 102 parking lot on Airport Road and the other at the intersection of trails 5 and 102. The Refuge will post a map of the Refuge notifying snowmobilers that use on and through the Refuge is restricted to the Powerline Trail and the state's Presidential Range Rail-Trail, and that no off-trail travel is permitted. Standard state or Refuge snowmobile trail signs will be posted at key points. Other entry points will have "No Snowmobile" signs erected to ensure people are aware that snowmobile use elsewhere on the Refuge is not allowed. Updated trail conditions are available from the New Hampshire Bureau of Trails either by phone or on their web site. Visitors also can contact the Refuge to find out about current conditions. Special Use Permits issued to Whitefield Sno-Kings contain specific special conditions that govern their operation and use of the trail on the Refuge.

(7) Provisions are made for law enforcement.

The Pondicherry Division is unstaffed, but a law enforcement officer stationed at the Nulhegan Basin Division, approximately 45 minutes driving time from the Refuge, will patrol the snowmobile trail. Officers from the New Hampshire Fish and Game Department and Bureau of Trails have conducted law enforcement on this trail in the past as part of their normal duties, and will continue to do so under Service ownership.

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(8) Effects of ORV use must be monitored.

Snowmobile use on the Refuge will be monitored and effects evaluated. Monitoring will be done by observations of trail use by Refuge staff, state personnel, and members of the Friends of Pondicherry, a local volunteer group. Federal and state law enforcement patrols will help ensure that people comply with regulations to minimize biological and recreational conflicts. Empirical use data will be collected via a trail counter on the Powerline Trail. Condition of the trail itself will be evaluated at the end of each season and periodically during the season to ensure that unacceptable resource damage is not occurring. Although the effects of snowmobiles on wildlife will be limited to observational data, the nearby Nulhegan Basin Division is conducting a more thorough evaluation and their results will be applicable to the Pondicherry Division.

(9) If it is determined that ORV use is causing considerable adverse effects on soil, vegetation, wildlife, wildlife habitat or cultural or historic resources of particular areas or trails, those areas must be closed until adverse effects are eliminated or preventive measures have been implemented to prevent recurrence.

As stated in Number 8 above, monitoring use of the Powerline Trail will be an ongoing process. Because there is only one trail on Refuge property and this trail lies completely within a managed utility corridor, the primary resource concerns are impacts to soil and resident winter wildlife. Both Refuge staff and personnel from the Bureau of Trails will monitor trail conditions to ensure that there is sufficient snow pack to support snowmobile use. The trail does not traverse any habitats key to wintering wildlife such as deer thermal cover; however, the trail will have limited effect on species that spend the winter under the snow surface in the utility corridor. The Nulhegan Basin Division is monitoring the effects of snowmobile use on wildlife, and their results will be applicable to the Pondicherry Division.

Should unacceptable resource impacts occur, appropriate action will be taken to alleviate problems. Actions may include more restrictive limitations on engine exhaust emissions or noise levels, limiting the number of snowmobiles on the Refuge, and trail relocation or closure. These or other actions may be necessary in the future to ensure that snowmobile use of the Powerline Trail does not materially interfere with or detract from Refuge purposes or the mission of the National Wildlife Refuge System, as previously described. Compatibility could be reconsidered before the term of this Compatibility Determination should the conditions under which this use is permitted change significantly, or there is new information regarding the effects of snowmobiling that warrants an updated evaluation.

The Powerline Trail is used specifically for snowmobiles. It does not serve as a hiking trail during other times of the year so there is no historical pattern of pedestrian use, except for snowshoers and skiers that may use it during snowmobile season. Snowmobiles are not allowed

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on any of the developed pedestrian trails on the Refuge (Figure 2).

Justification: This use has been determined to be compatible provided the stipulations necessary to ensure compatibility are implemented, and the use does not exceed thresholds necessary for visitor safety and resource protection. This use is not expected to materially interfere with or detract from the mission of the National Wildlife Refuge System nor diminish the purposes for which the Refuge was established, will not pose significant adverse effects on Refuge resources, will not interfere with public use of the Refuge, nor cause an undue administrative burden.

Signature: Refuge Manager:


(Signature and Date) 1-30-07

Concurrence: Regional Chief:


(Signature and Date) 4-2-2007

Mandatory 10-year re-evaluation date:

April 2, 2017

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Literature Cited

U.S. General Accounting Office. 2000. Agencies Need to Assess the Impact of Personal Watercraft and Snowmobile Use. GAO/RCED-00-243.

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