

Compatibility Determination

Title

Compatibility Determination for Third Party Research on the Valentine National Wildlife Refuge

Refuge Use Category

Research and Surveys

Refuge Use Type(s)

Research, Scientific Collecting, Surveys

Refuge

Valentine National Wildlife Refuge

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

National Wildlife Refuge System lands are managed consistent with a number of federal statutes, regulations, policies, and other guidance. The National Wildlife Refuge System Administration Act of 1966, as amended (16 United States Code [U.S.C.] 668dd–668ee) (Administration Act) is the core statute guiding management of the System.

The National Wildlife Refuge System Improvement Act of 1997 (Public Law [P.L.] 105-57) made important amendments to the Administration Act, one of which was the mandate that a comprehensive conservation plan be completed for every unit of the System. Among other things, comprehensive conservation planning has required field stations to assess their current farming program and establish objectives for the future.

The Migratory Bird Hunting Stamp Act of March 16, 1934, as amended by section 3 of the Act of August 1, 1958 (72 Stat. 486, 16 U.S.C. sec. 716 d[c]), authorized the Secretary of Interior to acquire small wetland or pothole areas suitable as Waterfowl Production Areas.

Additional Authorities include the following: Consolidated Farm and Rural Development Act, Migratory Bird Conservation Act, North American Wetlands Conservation Act, and the Emergency Wetlands Resources Act.

National Wildlife Refuge System Mission

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

Description of Use

Is this an existing use?

Yes

What is the use?

The Refuge allows scientific research on a variety of biological, physical, and social issues to inform refuge management and address broader conservation related questions. Studies are conducted by federal, state, and private entities, including the U.S. Geological Survey, universities, and non-governmental organizations.

Is the use a priority public use?

No

Where would the use be conducted?

Research study sites may be located throughout the Refuge.

When would the use be conducted?

These activities would take place year-round, subject to the refuge-specific regulations or laws governing the individual public use.

How would the use be conducted?

Access to study sites may be by foot, truck, UTV/ATV, boat, canoe, and other watercraft. Research may also include aerial activities to assess vegetation or wildlife. Research may include limited collection of plant materials and capture/handling of animals. Researchers would be required to submit a written request for a special use permit (SUP) that includes the who, what, where, when, why, and how the research will be conducted. If the refuge manager determines that the research would interfere with priority public uses or other stipulations mentioned below, result in significant negative impacts to wildlife, habitat, or cultural resources; pose an unacceptable risk to public safety, or cause a major disruption to Refuge operations, the use would be considered not compatible, and the permit request would be denied. If the refuge manager determines that the activity would be appropriate, the Refuge would issue an SUP. Research must contribute to Refuge purposes, or the mission of the Refuge System.

Why is this use being proposed or reevaluated?

The Refuge allows scientific research on a variety of biological, physical, and social issues to inform refuge management and address broader conservation related questions.

Availability of Resources

Currently, existing staff resources are adequate to manage this use at anticipated levels. Staff time primarily involves phone conversations, written correspondence, proposal review, and interaction with researchers and potentially affected publics. Field work associated with administering the program primarily involves monitoring researchers' compliance with the terms of the permit. Total staff time required is less than 5 days per year. Additional facilities (e.g., boat ramps, storage areas) or additional maintenance activities will not be necessary to support the use. Access points, boats, other vehicles, miscellaneous equipment, and limited logistical support may be made available at the discretion of the refuge manager.

Anticipated Impacts of the Use

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

Short-term Impacts

Scientific research may temporarily disturb fish, wildlife and habitats. Sampling activities can cause temporary compaction of soils and the trampling of vegetation. Installation of posts, equipment platforms, collection devices, and other research equipment may present a hazard to visitors if such items are not adequately marked and/or removed. Overall impacts to habitat and wildlife are anticipated to be minor and temporary in nature.

Long-term Impacts

Generally, third-party research and investigations are short-term projects, and no long-term or indirect impacts are anticipated. All third-party research requests will be reviewed by the refuge manager and will include stipulations regarding the location, timing, and frequency of the disturbance to ensure that long-term and cumulative negative impacts are avoided.

Public Review and Comment

A digital copy was posted on the refuge website and a hard copy of this document was posted at the Refuge Headquarters.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

The following stipulations are required to ensure compatibility and will be attached to all issued special use permits:

1. Prior to conducting investigations, researchers will obtain a special use permit from the Refuge that contains specific stipulations related to the research activity.
2. The permittee is responsible for ensuring all persons working under the authority of the special use permit are familiar with and adhere to the conditions of the special use permit.
3. The permittee must possess all necessary state, federal and local permits.
4. The use of off-road vehicles is prohibited unless specifically authorized in the special use permit.
5. In accordance with the Archaeological Resources Protection Act (16 U.S.C. 470aa), the removal or disturbance of archaeological or historical artifacts is prohibited. The excavation, disturbance, collection, or purchase of historical, ethnological, or archaeological specimens or artifacts is prohibited.
6. Researchers must clearly mark posts, equipment platforms, fencing material, and other equipment left unattended to reduce the hazard. Such items shall be removed promptly upon completion of the research.
7. Research involving collection of plant material or capture of animals will require approval by the refuge manager.
8. Research must contribute to Refuge purposes, or the mission of the Refuge System.

Justification

Investigations into the biological, physical, archaeological, and social components of the Refuge provide a means to analyze management actions and gain a better understanding of the Refuge environment. Adverse impacts of research that cause localized vegetation trampling or disruption of upland or wetland soils and bottom sediments are generally short-term and will be minimized through stipulations in a special use permit. When conducted as outlined in this compatibility determination, research and investigations contribute to meeting Refuge purposes and the mission of the National Wildlife Refuge System.