

Compatibility Determination

Use: Access to Refuge Areas for persons with Disabilities

Refuge Name: Minnesota Valley National Wildlife Refuge

Establishing and Acquisition Authorities:

Minnesota Valley National Wildlife Refuge (refuge) was established by Public Law No. 94-466, 94th Congress on October 8, 1976. The Minnesota Valley National Wildlife Refuge Act authorized acquisition of lands for refuge purposes.

Fish and Wildlife Act of 1956 (16 U.S.C. § 742(a)(4)) and (16 U.S.C. § 742(b)(1))

Emergency Wetlands Resources Act of 1986 (16 U.S.C. § 3901(b), 100 Stat. 3583).

National Wildlife Refuge System Administration Act of 1966 as amended by the National Wildlife Refuge System Improvement Act of 1997, 16 U.S.C. 668dd-668ee (Refuge Administration Act).

Refuge Recreation Act of 1962, 16 U.S.C. 460k-460k-4 (Refuge Recreation Act).

Refuge Purposes:

The Secretary shall develop and administer ... the refuge, in accordance with the National Wildlife Refuge System Act ... The Secretary may also exercise any other authority available to him for the conservation and management of wildlife and natural resources, the development of wildlife-dependent recreational opportunities, wildlife interpretation, and environmental education, to the extent deemed by him to be appropriate ... The Secretary shall construct, administer and maintain, ... a wildlife interpretation and education center ... to promote environmental education and to provide an opportunity for the study and enjoyment of wildlife in its natural habitat.

The purposes of the refuge “are to (1) provide habitat for a large number of migratory waterfowl, fish, and other wildlife species; (2) to provide environmental education, wildlife recreational opportunities, and interpretive programs for hundreds of thousands of Twin City residents; (3) to protect important natural resource areas from degradation; and to (4) protect the valley’s unique social, educational, and environmental assets.”

National Wildlife Refuge System Mission:

The Mission of the National Wildlife 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.

Description of Use:

What is the use?

Access to the Refuge by persons with disabilities is the term used to describe the process of granting exemptions to current Refuge Regulations that assist persons with disabilities in engaging in compatible activities on the Refuge. All exemptions granted will comply with the general public safety regulations of the U.S. Department of Interior and the specific public safety guidance of the U.S. Fish and Wildlife Service (Service) Compatibility Policy. Based on experience to date, it is expected that most disability access requests will be for hunting, but this policy also applies to the other priority public uses on the Refuge; wildlife observation, wildlife photography, environmental education, interpretation, and fishing.

Though specific locations and sizes of areas affected will vary, an estimated 0.5 acre to 3.0 acres may be impacted.

Where would the use be conducted?

The most common type of exemption given will allow the use of motorized vehicles, limited to existing roads and trails in good condition or other routes as specified for a limited duration via a Special Use Permit (SUP). The use will primarily occur in places on the Refuge where native plant communities, wetlands and other unique resources would not be impacted.

The Refuge currently maintains facilities for persons with disabilities on the Upgrala and Wilkie units for waterfowl hunting, the Chaska unit for deer and turkey hunting and Bloomington Ferry and Long Meadow Lake units for deer hunting (archery).

When and how would the use be conducted?

Access for persons with disabilities can be conducted throughout the year though most likely the use will occur during the defined hunting seasons for waterfowl, deer and turkey.

The hunts are coordinated by the Capable Partners Inc., through the issuance of a Special Use Permit on an annual basis. Capable Partners is a Twin Cities based non-profit organization whose mission is through volunteer efforts, "... to provide hunting, fishing, and related opportunities for the physically challenged". The responsibility of the Refuge is to construct and maintain one to two wheel-chair accessible hunting blinds or platforms at these locations. The responsibilities of Capable Partners include coordinating and conducting safe hunts for a variety of disabled hunters and their immediate family and/or close friends (able-bodied hunting partners).

Why is this use being proposed?

The Americans with Disabilities Act and Service policy require that all Service programs and facilities meet the needs of persons with disabilities. Offering special access as described in this determination is one way the Service can meet that obligation to the American public.

Is the use a priority public use?

Providing accessibility to Refuge facilities is a high priority public use.

Availability of Resources:

Currently, Refuge staffing levels and facilities required for public use programs and accessibility

do not meet Service public use standards. The Refuge Comprehensive Conservation Plan (2004) details the needed funds and staff to bring these programs up to Service standards. A summary of these needs include eight additional full time equivalent (FTE's) positions including a deputy manager, two more refuge law Enforcement Officers , two maintenance positions, and two park rangers (education and outreach). The additional staff time required for development and administration of Special Use Permits by current staff will be prioritized to meet the need as described above.

Anticipated Impacts of the Use:

A small amount of additional motorized use on established roads, trails and localized areas permitted by SUPs will result in short-term disturbances to both resident and migratory wildlife using the Refuge. Short-term impacts will include disturbance and displacement typical of any motorized intrusion into wildlife habitat. The potential exists to adversely effect the quality of the outdoor experience by other visitors using the area through the use of motorized vehicles. Long-term impacts are not anticipated as most of the use will involve travel on roadways already used by Refuge staff to conduct management surveys and activities throughout the year. No cumulative impacts are anticipated.

Public Review and Comment:

This compatibility determination is part of the 10-year review for Compatibility Determinations of the Minnesota Valley National Wildlife Refuge and Wetland Management District Comprehensive Conservation Plan. Public notification and review will include a comment period from September 6, 2016 to September 20, 2016.

Comments received and agency responses will be included in the final version of this Compatibility Determination.

Determination:

Use is Not Compatible

Use is Compatible with following stipulations

Stipulations Necessary to Ensure Compatibility:

1. Motorized access will be limited to existing roads, trails and mapped locations in good condition and noted on a SUP where impacts to resources will be limited.
2. Access is limited to persons who qualify as disabled following the Minnesota state standards on disabilities for special hunting privileges.

Justification:

The Americans with Disabilities Act and ensuing Service policy require that all Service programs and facilities meet the needs of persons with disabilities. Offering special access as described in this determination is one way that the Service can meet that obligation to the

American public.

Authorizing motorized vehicle use on established roads and trails for persons with disabilities engaged in compatible uses will cause minimal disturbance and provide appropriate recreational opportunities for people who might otherwise not be able to visit units of the Refuge. Issuance of permits for disability access will not be limited to a set number as it is expected that meeting the requested demand will still result in a small amount of permits with only minimal wildlife disturbance as a consequence. At the expected level of use, this use is compatible as it will be below the threshold where unacceptable wildlife disturbance will occur. If demand far exceeds expectations within the time period covered by this determination and the disturbance threshold is exceeded, Refuge staff will reevaluate the program and may limit the number of permits issued.

Signature: Project Leader: _____
(Signature and Date)

Concurrence: Regional Chief: _____
(Signature and Date)

Mandatory 10-year Re-evaluation Date: _____ 2026 _____