COMPATIBILITY DETERMINATION

Use: Canoeing, Kayaking, Stand Up Paddling, and Sailing

Refuge Name: Upper Mississippi River National Wildlife and Fish Refuge (Refuge).

Establishing and Acquisition Authorities: The Upper Mississippi River National Wildlife and Fish Refuge was established by Public Law No. 268, 68th Congress on June 7, 1924. This act authorized acquisition of lands for Refuge purposes. Additional lands acquired in fee title by the U.S. Army Corps of Engineers are managed as part of the Refuge under a 1963 Cooperative Agreement between the Department of the Army and the Department of the Interior.

Refuge Purpose(s): The Refuge shall be established and maintained (a) as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and (b) to such extent as the Secretary of the Interior by regulations, prescribes, as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (c) to such extent as the Secretary of the Interior may, by regulations, prescribe a refuge and breeding place for fish and other aquatic animal life.

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.

Goals of the National Wildlife Refuge System:

a. To fulfill our statutory duty to achieve refuge purpose(s) and further the System mission.
b. Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered.
c. Perpetuate migratory bird, interjurisdictional fish, and marine mammal populations.
d. Conserve a diversity of fish, wildlife, and plants.
e. Conserve and restore, where appropriate, representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems.
f. To foster understanding and instill appreciation of fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

Description of Use:

What is the use? This use involves the silent water sports such as canoeing, kayaking, stand up paddling, and sailing. These uses can be a recreational pursuit independent of wildlife observation or means to transportation for enjoying wildlife observation, fishing, hunting, and

other recreational activities. While these uses can occur without a nexus to wildlife, they are generally a means to participate in wildlife observation, photography, fishing, or hunting.

Where is the use conducted? Canoeing, kayaking and stand up paddling occur mainly in the side channels and backwaters of the Refuge. Sailing occurs mainly on Lake Onalaska, Pool 7, La Crosse District.

When is the use conducted? Paddlers can launch their craft from major access points but because of their small size, also have the luxury of launching from minimally developed areas as well. Sailboats, however, are generally kept at a marina and require deeper water for their use. The main season for these activities is April through October, with peak use occurring June through August.

How is the use conducted? Refuge regulations published in a Public Use Regulations brochure place restrictions on the cutting of live or standing dead vegetation. As aquatic vegetation (primarily emergent vegetation) changes, designated water trails may need to be altered to accommodate a clear path. Sailing may also be affected by changes in aquatic vegetation. Sailboats may need to alter their regularly used travel routes to avoid vegetation.

Why is this use being proposed? Silent water sports continue to be on the rise in popularity. While the number of paddlers on the Refuge is unknown, the American Canoe Association's (ACA) 2015 Special Report on Paddlesports found that in 2014, 21.7 million Americans (7.4% of the population) participated in paddling. This was an increase of more than three million people from 2010.

Availability of Resources: Little oversight of this use is needed and staffing and funding is adequate. The Refuge currently maintains 15 marked canoe/kayak trails and one designated canoe area. Several of the canoe trails, also function as canoe areas and could easily be converted to canoe areas with little additional effort by Refuge staff. There are currently no plans to develop more marked trails. Four of these trails on the Winona District have received the Department of Interior's National Recreation Trails designation. New trails take some investment for signs, installation, and periodic inspection. Existing resources should be adequate for this work, and volunteers will likely be available. Existing boat landings, both Refuge and other, are available to support these silent sports.

Anticipated Impacts of the Use: Disturbance to wildlife, such as the flushing of feeding or resting birds, is inherent to these activities. Disturbances are generally less than motorized activities due to the silent nature of canoeing, kayaking, stand up paddling, and sailing, and generally low volume of use in any given area. This disturbance is temporary and generally localized. Fisheries, emergent and submergent vegetation, and other aquatic species will not generally be impacted. Designated water trails, Electric Motor Areas, and Slow, No Wake Areas, may increase the volume of visits locally, but this increase should not markedly change impacts overall given the size of the Refuge and relatively small percentage of the Refuge in these designations (approximately 8 percent of the water area). Sailing on Lake Onalaska has the potential to disturb waterfowl in the Waterfowl Hunting Closed Area and Voluntary Avoidance Area.

Public Review and Comment: This Compatibility Determination is a re-evaluation of an existing determination which was included in the Draft Comprehensive Conservation Plan and Environmental Impact Statement (EIS) released May 1, 2005 for a 120-day comment period. It was also available during a subsequent 90-day review period on a supplement to the EIS released December 3, 2005. Public notification included notices in the Federal Register, media announcements, and 31 public meetings and workshops attended by more than 3,700 persons. Several comments on canoeing and kayaking were received and can be found in Chapter 7 of the EIS, with a Service response. However, no comments specific to this determination were received.

A draft of this re-evaluation was released on August 5, 2016 for a 30-day comment period. Public notification of the availability of this CD included media announcements and posting on the Refuge's website. Comments received on the draft re-evaluation expressed concern with the "restrictive" requirements of Stipulation 2 which did not allow for the removal of vegetation. As a result of comments received, Stipulation 2 was reworded to include the caveat " … unless authorized by special use permit."

Determination:

_____ Use is Not Compatible

_XX_ Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Water trail layout and design will continue to ensure adequate adjacent cover for wildlife and avoid sensitive wildlife areas or habitat.

2. The removal or destruction of living or standing dead vegetation to support these uses shall be prohibited unless authorized by special use permit.

Justification: Disturbance to wildlife is limited by the silent nature of this use, modest numbers of visits, and the size and remote nature of large parts of the Refuge. Wildlife displaced has ample alternative habitat given the size of the Refuge. Also, many species have grown more tolerant of human presence due to railroads, highways, and river traffic adjacent to or through the Refuge. Disturbance is also generally short-term and only temporarily displaces wildlife, and adequate adjacent habitat is usually available for wildlife. Although sailing in Lake Onalaska has the potential to disturb waterfowl using the Waterfowl Hunting Closed Area, a Voluntary Avoidance Area helps protect the core of the closed area and most sailing occurs before peak bird use. This use is not expected to materially interfere nor detract from the purposes of the Refuge for fish, wildlife, and plant conservation.

Refuge Manager: _____ 1/3/17
Signature Date

Regional Chief Concurrence: _____ 1-26-17
Regional Chief Date

Mandatory 10 or 15 year Re-evaluation Date: 2027