**Compatibility Determination**

**Use**: Collection of Plants, Seeds and Edible Wild Plant Foods for Personal Use

**District Name:** Detroit Lakes Wetland Management District

**Establishing and Acquisition Authorities:**
Waterfowl Production Areas - The Migratory Bird Hunting and Conservation Stamp Act, March 16, 1934, (16 U.S.C. Sec. 718-718h, 48 Stat. 452) as amended August 1, 1958, (P.L. 85-585; 72 Stat. 486) for acquisition of "Waterfowl Production Areas"; the Wetlands Loan Act, October 4, 1961, as amended (16 U.S.C. 715k-3 - 715k-5, Stat. 813), funds appropriated under the Wetlands Loan Act are merged with duck stamp receipts in the fund and appropriated to the Secretary for the acquisition of migratory bird refuges under provisions of the Migratory Bird Conservation Act, February 18, 1929, (16 U.S.C. Sec. 715, 715d - 715r, as amended; 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).

FmHA fee title transfer properties - Consolidated Farm and Rural Development Act 7 U.S.C. 2002.

**District Purposes:**
Waterfowl Production Areas - "...as Waterfowl Production Areas" subject to "...all of the provisions of such Act [Migratory Bird Conservation Act]....except the inviolate sanctuary provisions..." and "...for any other management purpose, for migratory birds".

FmHA fee title transfer properties - "for conservation purposes..."

**National Wildlife Refuge System Mission:**
The mission of the 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:**
Allow the public to collect plants, seeds and edible plant food products on WPAs for personal use. Some plants growing on WPAs produce edible products such as fruits and nuts. Apples, raspberries and walnuts are examples these products. Plants growing on WPAs provide important wildlife habitat and can also be desirable for landscaping or decorative uses. Cattails (Typha sp.), Baby's breath (Gypsophila paniculata), Asters (Aster sp.) and grapevines (Vitis sp.) are examples of some species which are occasionally used in decorative floral arrangements. In addition, individuals occasionally request permission to harvest seeds from WPAs in order to establish these plants on private property.

**Is the use a proposed new use or an existing use?**
This use has historically been allowed on the district and has become a custom of the local community. For a small number of people, this is a traditional, family oriented activity.

**Is the use a priority public use?**
No, collection of plants, seeds and edible plant food products is not a priority public use of the National Wildlife Refuge System.

**Where would the use be conducted?**
Harvest could occur throughout the District in the uplands and along river and wetland edges. Areas where edible plants are found are a small percentage of the total upland acreage, and are often found at abandoned building sites which have been reclaimed by the Service.

**When would the use be conducted?**
Harvest occurs during the daylight hours, usually in the late spring and fall and typically is of short duration. Edible foods are hand harvested by picking the products from the plant or gathering what has fallen to the ground. Mushrooms, asparagus and apples are examples of plants that are collected and consumed. Prairie plant seed harvest occurs during daylight hours, primarily in September and October, but can occur for individual species throughout the summer. These are all cut by hand during harvest.

Wild rice grows in permanent wetlands. With a license from the State of Minnesota, it can be hand harvested from July 15 through September 30 using non-motorized watercraft. Harvest time is restricted to 9:00 a.m. to 3:00 p.m.

**How would the use be conducted?**
Edible plant foods are hand harvested by picking the products from the plant or gathering what has fallen to the ground. Mushrooms, asparagus and apples are examples of plants that are collected. Plants and seeds used in prairie establishment, landscaping or floral arrangements are also cut by hand during harvest.

Access to harvest sites is accomplished by walking from a designated parking area or public roadway. Canoes used to harvest wild rice are launched at boat ramps or carried to the wetland from parking areas or public roadways.

**Why is this use being proposed?**
This use has historically been allowed on the district and has become a custom of the local community. The district is open to the public during the time periods that the use is allowed so no additional disturbance is created by allowing this use. Gathering allows the public to build a connection to the district through personal outdoor experiences that engage the senses and foster an appreciation of the outdoors. For a small number of people, this is a traditional, family oriented activity which provides an opportunity for those participating to collect wholesome, healthy foods while enjoying the beauty of the natural environment. Hand harvest of native prairie plant seed is used to collect seed to re-establish small plots of native plants. These plots can be for landscaping purposes or to develop small tracts of habitat for wildlife.

There is a paucity of other public lands in Minnesota, which could provide this opportunity for the public. Private lands located in this area are intensively managed for row crop production. Due to farming practices, these areas typically do not contain any edible wild plants.

**Availability of Resources:**
Waterfowl Production Areas have been open to hunting since they were acquired. As a result, access trails, parking lots, signage and other facilities as well as staff to enforce regulations and maintain these facilities have been provided by the Service. These facilities will be maintained to meet the needs of the hunting public and will be used incidentally by those who are collecting edible wild plant foods and hand harvesting plants or their seeds. This use will not require a significant increase in additional maintenance or enforcement staff expenditures. There will be no Special Use Permits issued and the Service will not have to provide any special equipment or service.

**Are existing District resources adequate to properly and safely administer the use?**
Yes, existing District resources are adequate to ensure this activity is safely administered and carried out according to compatibility requirements.

**Anticipated Impacts of the Use**:

**How does the use affect District's purposes, the Refuge System mission, and District goals and/or objectives?**
The District was established to provide for the needs of migratory birds and other wildlife. Collection of plants, seeds and edible plant foods for personal use does not adversely affect the ability of the District to fulfill this purpose.

Historically, public participation in the collection of plant food products or hand collecting plants or seeds on WPAs was low, and future participation is also expected to be low. The quantity and frequency of plant food products removed and hand harvesting plants and seed is not expected to significantly diminish wildlife food sources or jeopardize wildlife survival. Short-term disturbance to wildlife may occur during these activities, but will be insignificant. Most of these activities occur in the late summer or fall, after ground-nesting birds have completed the nesting season. This activity should not result in short or long-term impacts that adversely affect the District's purpose or the mission of the National Wildlife System.

In Managing Visitor Use and Disturbance of Waterbirds: A Literature Review of Impacts and Mitigations DeLong (2002) include a summary of effects on wildlife from disturbance from various forms of recreation. The author documents that disturbance can alter behavior (e.g. foraging time), population structure, and distribution patterns of wildlife. It is probable that gathering would cause some or all of these effects to some degree on District wildlife, but at present and expected future levels are not expected to adversely affect wildlife populations on the District. A number of measures mitigate these effects.

No adverse impacts to District habitats are expected from this activity. Presently, the level of this use is estimated at 50 visits annually and is not expected to increase much above present rates in the future. The use occurs for short durations during spring and late summer/fall when plants, seeds, nuts, berries, and mushrooms are most likely available. Gathering occurs in the same areas as other public uses and practiced at prescribed levels is not expected to harm District habitats.

Gathering of plants, seeds and edible plants conducted in accordance with District regulations is not expected to adversely affect fish and wildlife populations or the biological integrity, diversity, and environmental health of the District as it is defined in Service policy (USFWS 2001). Historically, public participation in the collection of plants, seeds, nuts, berries, and mushrooms on the District is estimated at about 50 visits per year, and future participation is also expected to be at or slightly above the current level. This is not anticipated to adversely impact the biological integrity, diversity, or environmental health of the District.

Gathering is not expected to adversely affect other District uses or public safety. Experience on many National Wildlife Refuges and Districts has proven that time and space zoning (e.g., establishment of separate use areas, use periods, and restrictions on the number of users) is an effective tool in eliminating conflicts between user groups. Overall, the cumulative impact of gathering on priority wildlife-dependent recreation activities or public safety at the District is expected to be minor.

**Public Review and Comment:**
This compatibility determination is part of the 10-year review for Compatibility Determinations in Minnesota's WMDs Comprehensive Conservation Plan. Public notification and review will include a comment period from 10 February 2014 through 3 March 2014. Comments received and agency responses will be included in the final version of this Compatibility Determination.

**Determination:**

_____ Use is Not Compatible

__X__ Use is Compatible with the Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. The use of motorized vehicles or motorized water craft is prohibited except by permit or in designated parking areas, access trails or public roads.
2. Camping, overnight use and fires are prohibited.
3. Digging of plants or their roots is prohibited.
4. Plant food products cannot be sold.
5. Cutting or damage to trees is prohibited.
6. Wild rice will be harvested according to state regulations
7. No threatened, endangered or species of special concern may be harvested or cut.
8. 20 plants per species can be cut and removed for decorative purposes.
9. Cutting of noxious weeds (in order to prevent the spread of noxious weeds) is prohibited.
10. Grass/forb (flowers) seed harvest is limited to 10 pounds for establishment of prairie, not for resale.

**Justification:**
This use will have limited and localized impacts when conducted within the stipulations above. Administration of the use will require little to no administrative time or funding. This use will

not diminish the primary purposes of waterfowl production, or the conservation of other migratory birds and wildlife.

**Signature:** Project Leader /<name>/ or actual signature mm/dd/yyyy
(Signature and Date)

**Concurrence:** Regional Chief /<name>/ or actual signature mm/dd/yyyy
(Signature and Date)

**Mandatory 10- or 15-year Re-Evaluation Date:** 2024