

Compatibility Determination

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

Refuge Name: Big Stone Wetland Management District (WMD)

Establishing and Acquisition Authorities:

Waterfowl Production Areas (WPAs) - 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.

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

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).

Refuge Purposes:

Waterfowl Production Areas (WPAs) - “...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 (NWRS) Mission:

The Mission of the NWRS 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. Permission for an approved seed harvest request will be granted through the issuance of a Special Use Permit (SUP).

Is the use a proposed new use or an existing use?

This use has historically been allowed on the WMD 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, the collection of plants, seeds and edible plant food products is not a priority public use of the NWRS.

Where would the use be conducted?

Harvest could occur throughout the WMD in a variety of habitats. Areas where edible plants are found comprise a small percentage of the total upland acreage and are often found at abandoned building sites which have been reclaimed by the U.S. Fish and Wildlife Service (Service).

When would the use be conducted?

Harvest will be allowed during the daylight hours only and typically occurs in the late spring and fall.

How would the use be conducted?

Edible plant foods will be 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.

Why is this use being proposed?

This use has historically been allowed on the WMD and has become a custom of the local community. The WMD 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 WMD 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 personal landscaping purposes only.

There is a shortage 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:**What resources are needed to properly and safely administer use?**

WPAs have been open to public use 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 existing public use 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. A minimal amount of administrative time will be required for the issuance of needed SUPs but this activity is not expected to significantly add to the current workload of WMD staff.

Are existing resources adequate to properly and safely administer the use?

Yes, existing WMD 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 collection of plants, seeds, and edible wild plant foods for personal use affect WMD purposes and the NWRS mission?

The WMD was established to provide for the needs of migratory birds and other wildlife. The collection of plants, seeds, and edible plant foods for personal use does not adversely affect the ability of the WMD to fulfill this purpose.

How does the collection of plants, seeds, and edible wild plant foods affect fish, wildlife, plants, and their habitats; and the biological integrity, diversity, and environmental health of the WMD?

Historically, public participation in the collection of plant food products or hand collecting plants or seeds on WPAs has been low and future participation is also expected to remain 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 WMDs purpose or the Mission of the NWRS.

In “Managing Visitor Use and Disturbance of Waterbirds: A Literature Review of Impacts and Mitigations”, DeLong (2002) includes 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 WMD wildlife, but at present and expected future levels would not be expected to adversely affect wildlife populations on the WMD. A number of measures mitigate these effects.

No adverse impacts to WMD 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 WMD habitats.

Gathering of plants, seeds, and edible plants conducted in accordance with WMD regulations is not expected to adversely affect fish and wildlife populations or the biological integrity,

diversity, and environmental health of the WMD as it is defined in Service policy (USFWS 2001). Historically, public participation in the collection of plants, seeds, nuts, berries, and mushrooms on the WMD 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 WMD.

Gathering is not expected to adversely affect other WMD uses or public safety. Experience on many National Wildlife Refuges and WMDs 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 on the WMD is expected to be minor.

Public Review and Comment:

This compatibility determination is part of the 10-year review for Compatibility Determinations in the Big Stone WMD Comprehensive Conservation Plan. Public notification and review will include a comment period from 13 February 2014 through 7 March 2014. 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 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 and 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. No threatened, endangered, or species of special concern may be harvested or cut.
7. 20 plants per species can be cut and removed for decorative purposes.
8. Cutting of noxious weeds (in order to prevent the spread of noxious weeds) is prohibited.
9. 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

(Signature and Date)

Concurrence: Regional Chief

(Signature and Date)

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