

Draft Compatibility Determination

Use: Friends Silent Auction in Support of Swan Lake NWR

Refuge Name: Swan Lake National Wildlife Refuge (NWR)

Establishing and Acquisition Authorities: Executive Order 7563 established Swan Lake National Wildlife Refuge on February 27, 1937.

Refuge Purposes:

“... as a refuge and breeding ground for migratory birds and other wildlife: ...” Executive Order 7563, dated Feb. 27, 1937

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. § 715d (Migratory Bird Conservation Act)

“... particular value in carrying out the national migratory bird management program.” 16 U.S.C. § 667b (An Act Authorizing the Transfer of Certain Real Property for Wildlife)

National Wildlife Refuge System Mission: The Mission of the National Wildlife Refuge System (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: This use involves the Friends of Swan Lake NWR (Friends) conducting a Silent Auction at the Refuge Visitor Center as a fundraising activity as identified in the Friends Partnership Agreement.

Is the use a priority public use?

This use is not a priority public use (fundraising) but is permitted by USFWS policy by encouraging non-Federal partnerships. See Section 2 (a) (3) of the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (U.S. Congress 1998).

Where would the use be conducted?

This use is conducted in the Visitor Center.

When would the use be conducted?

This use is conducted in conjunction with Refuge special events. Typically it is done in conjunction with a *First Fridays at the Refuge* event. These events typically occur in the evenings or Saturdays and during the summer months.

How would the use be conducted?

This is an event that is conducted by the Friends of Swan Lake. Auction items are donated to the Friends by various businesses and organizations. All items must be approved by the

Refuge Manager prior to being listed in the auction publicity. These items are displayed in the main room of the Visitor Center with bid sheets by each item. Individuals write their name and bid amount on the corresponding bid sheets for the item on which they wish to place a bid. This auction is highly monitored by at least 3 Friends members in the room. Once the bidding has closed the Friends members running the auction determine the winners. Individuals that have bid come back approximately 30 minutes after the auction has closed to see if they won their item. Winning bidders then pay the Friends for the items they won and pick up their items. Statements are made on the bid sheets stating that the Friends are raising funds to help support Refuge visitor service programs, such as *First Fridays at the Refuge* and other Refuge projects.

Why is this use being proposed?

This is an activity that gives the Friends a revenue source to support Refuge visitor services programs. The Friends pay for all the expenses related to the *First Fridays at the Refuge* program as well as activities related to school tours on the Refuge.

This activity is supported by the Friends of Swan Lake National Wildlife Refuge along with numerous partners they partner with to make it possible. Therefore, it fulfills various components of the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (NWRVCPEA). Section 5 (3) of the NWRVCPEA reads:

By encouraging volunteer programs and donations, and facilitating non-Federal partnerships with refuges, Federal funding for the refuges can be supplemented and the System can fully benefit from the amendments made by the National Wildlife Refuge System Improvement Act of 1997 (U.S. Congress 1998).

Additionally, it enhances partnerships with other organizations and members of the public who already are or who could become partners in conservation. Consequently, the proposed use fulfills USFWS objectives as outline in Executive Order 12996 (1996) and the National Policy Issuance #96-09 (U.S. Fish and Wildlife Service 1996). Section 3 of the National Policy Issuance #96-09 reads:

Partnerships: America's sportsmen and women were the first partners who insisted on protecting valuable habitat within wildlife refuges. Conservation partnerships with other Federal agencies, State agencies, Tribes, organizations, industry, and the general public can make significant contributions to the growth and management of the Refuge System (U.S. Fish and Wildlife Service 1996).

This proposed use directly fulfills this objective of conservation partnerships by building relationships with current partners (volunteers) and private organizations who will be involved in offering some of the available programs. In the long-term it supports partnerships with future allies in conservation by generating funds for educational programs at the Refuge that are specifically tailored to children.

This event also helps to foster our Refuge volunteer program and achieve strategies outlined in the Comprehensive Conservation Plan (CCP) Strategies 1& 4 of Objective 3-8 (U.S. Fish and Wildlife Service 2011: 45). It also supports the Refuge conservation education program

by providing funds, from the Friends, to achieve strategies outlined in the CCP Strategy 6 of Objective 3-6 (U.S. Fish and Wildlife Service 2011: 44).

Availability of Resources:

What resources are needed to properly (considering quality and compatibility) and safely administer the use?

Refuge staff will be needed to help coordinate this activity, to ensure that it does not interfere with other Refuge activities. It also requires the time of the Refuge Manager to approve all auction items and issue a Special Use Permit. This requires pre-planning several months in advance to schedule activities and coordinate with individuals who are carrying them out. Event preparation requires staff time to set up and take down for the event, as well as coordination of volunteers to help with these efforts. Items will be needed to supply the auction along with bid sheets.

Adequate facilities are necessary to carry out this event such as water, buildings, trash cans, parking, and tables for the auction items.

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

The activities cited in the “How Would This Use Be Conducted” section of this CD require Refuge staff or qualified Refuge volunteers. If none are available these activities cannot be carried out for that particular event. The Friends have the resources to provide the items for the auction and provide bid sheets and writing utensils for people placing bids.

The Refuge Visitor Center provides adequate space to carry out this event. The Friends provide the volunteers necessary to carry out this activity.

Accessibility: The Visitor Center meets accessibility standards requirements. There is accessible parking located in the visitor center parking lot. The tables are placed to ensure the auction items and bid sheets are accessible.

Anticipated Impacts of the Use:

How does the Activity affect Refuge purposes and the NWRS mission?

The Refuge was established to provide for the needs of migratory birds and other wildlife. Educational programs and events such as this do not adversely affect the ability of the Refuge to fulfill this purpose. The activity also allows the Refuge and Friends to work together to build broader constituencies of users who will learn more about the mission of Swan Lake NWR and the National Wildlife Refuge System by coming to Swan Lake NWR to participate in this activity. It helps to broaden partnerships and build Refuge support, as identified in the Refuge CCP Strategy 1-4 of Objective 3-8 (U.S. Fish and Wildlife Service 2011: 45). This activity enhances Refuge partnerships that “can make significant contributions to the growth and management of the Refuge system”, as stated in Section B (1) of Executive Order 12996 Management and General Public Use of the National Wildlife Refuge System. This use also allows the Friends a source of funds to help support Refuge visitor use programs as per the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (U.S. Congress 1998). Overall then, it supports the missions of USFWS and Swan Lake NWR.

How does this activity affect fish, wildlife, plants, and their habitats; and the biological integrity, diversity, and environmental health of the Refuge/NWRS?

Migratory Birds

This event is not expected to adversely affect migratory bird populations that occur on the Refuge. There is no take involved, and the activity occurs in developed areas that provide little habitat benefit to migratory birds.

Disturbance

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 the archery activities would cause some or all of these effects to some degree on Refuge wildlife. A number of measures mitigate these effects, and they are not expected to occur at levels that would interfere with the purposes of the Refuge. The area most directly impacted would be the environmental education site located in and around the Refuge Visitor Center, which has been discussed in the approved CCP (U.S. Fish and Wildlife Service 2011: 44). Other areas adjacent to access roads would be affected, but these roads are already open to the public. Consequently, there would be minimal increased impacts from these users.

Habitat

Activities from this use would cause little or no habitat disturbance since they will take place in areas already developed and open to public use and are carried out indoors.

Biological Integrity, Diversity, and Environmental Health

Activities from this use are not expected to adversely impact the biological integrity, diversity, and environmental health of the Refuge. This event occurs only once a year for just a few hours. Further, it occurs in developed areas that are not heavily used by Refuge wildlife.

Other Uses and Public Safety

Public safety issues are addressed by the placement of this activity in areas that have been set up for these types of events. Safe and adequate parking is available, and volunteers are available to ensure proper parking. All parking volunteers are provided with an orange safety vest. There is a first aid station clearly identified at the Refuge Visitor Center. The Refuge Visitor Center is staffed with a Refuge volunteer during the event. That volunteer is briefed by Refuge staff prior to the event on what to do in emergency situations.

This activity will be evaluated each time it is utilized to make sure unforeseen changes don't cause negative impacts upon other uses or safety issues for Refuge visitors.

Overall, the cumulative impact of this activity on other wildlife-dependent recreation or public safety at Swan Lake NWR is expected to be minor, since it is concentrated in an isolated location, under a controlled situation, and only occurs occasionally on the Refuge.

Public Review and Comment:

Public notification and review includes a 30-day comment period with local media announcements and postings at the Refuge Visitor Center, Sumner Post Office and Chillicothe Public Library. Comments received will be included with this document in the final Compatibility Determination.

Determination (check one below):

- Use is Not Compatible
- Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. All activities are carried out in accordance with the Friends Partnership Agreement.
2. All auction items are approved and deemed appropriate by the Refuge Manager prior to the auction. Items related to alcohol, adult only content, and illegal products or services will be prohibited in the auction.
3. A Special Use Permit will be issued to the Friends prior to the Auction unless identified in the Friends Partnership Agreement.
4. The Friends will have at least 3 volunteers in the auction room at all times that are available to collect winning bids and distribute items in a timely and orderly fashion.
5. All funds received by the Friends are handled in accordance with the Friends Partnership Agreement.

Justification:

In view of the above and with the stipulations previously described, the Friends Silent Auction will not materially interfere with or detract from the NWRS mission or purposes of the Refuge. Working with partners such as friends groups is a priority for the National Wildlife Refuge System. Funds raised by the Friends go to support important Refuge activities and this is an activity that helps maintain a strong Friends organization.

Signature: Refuge Manager _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

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

References

- 16 U.S.C. *United States Code, 2010 Edition: Title 16 – Conservation, Chapter 7 – Protection of Migratory Game and Insectivorous Birds*. The U.S. Government Printing Office. Retrieved February 6, 2014 (<http://www.gpo.gov/fdsys/pkg/USCODE-2010-title16/html/USCODE-2010-title16-chap7.htm>)
- Delong, A. K. 2002. “Managing Visitor Use and Disturbance of Waterbirds—a Literature Review of Impacts and Mitigation Measures.” Prepared for Stillwater National Wildlife Refuge. Appendix L (114 pp.) in *Stillwater National Wildlife Refuge Complex Final Environmental Impact Statement for the Comprehensive Conservation Plan and Boundary Revision (Vol. II)*. Department of the Interior, U.S. Fish and Wildlife Service, Region 1, Portland, OR. Available online (www.fws.gov/stillwater/litreview.pdf).
- Exec Order No. 7563. 1937. Retrieved February 6, 2014 (<http://www.presidency.ucsb.edu/ws/index.php?pid=61216>)
- Exec. Order No. 12996. 1996. Retrieved February 6, 2014 (<http://www.fws.gov/refuges/policiesandbudget/EO12996.html>)
- U.S. Congress 1998. *National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998*. Passed October 5, 1998. Retrieved February 6, 2014 (<http://www.gpo.gov/fdsys/pkg/PLAW-105publ242/pdf/PLAW-105publ242.pdf>)
- U.S. Fish and Wild Service. 1996. *National Policy Issuance #96-09: Subject: Executive Order 12996—Management and General Public Use of the National Wildlife Refuge System*. By Bruce Blanchard. Released December 30, 1996. Effective March 25, 1996. Retrieved February 6, 2014 (http://www.fws.gov/policy/npi96_09.html)
- U.S. Fish and Wildlife Service. 2011. *Swan Lake National Wildlife Refuge: Comprehensive Conservation Plan and Environmental Assessment*. Department of the Interior, U.S. Fish and Wildlife Service, Region 3, Bloomington, MN.