

NOTICE PUBLIC COMMENT PERIOD

The U.S. Fish and Wildlife Service is soliciting public comments for a new proposed use. The Refuge has received money from the Central Federal Lands Highway Division to pave 0.34 miles of the existing gravel entrance road.

The proposed work locations include:

T159N R78W Section 10 NW1/4 (see attached map). Specifically, that portion of the road that extends east, from State Highway 14, to the east entrance to the Refuge Headquarters Building parking area. The proposed work area is the immediate vicinity of the existing road (see attached map).

The proposed work is as follows:

Asphalt paving will be applied to cover the existing gravel road and will match existing road dimensions, with minor variances. The alignment of the entrance will match the existing conditions and the width of the roadway will be approximately 18 feet. Final design details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

Construction will take place at the site of the existing gravel road and will follow standard DOT paving standards as approved by the Central Federal Lands Highway Division. Final construction details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

Vegetation (restored tallgrass prairie) along the shoulder of the road will be disturbed during construction. Upon project completion all portions of the disturbed site will be appropriately graded and restored back to existing conditions using a native seed mix matching the existing. Final reclamation details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

This notice will be posted at the J. Clark Salyer NWR headquarters and on the J. Clark Salyer NWR web site (http://www.fws.gov/refuge/J_Clark_Salyer/) from January 14th 2016 through January 29th 2016. A copy of the draft Compatibility Determination and associated maps is available upon request. People wishing to provide comments can do so by close of business on January 29th 2016 by submitting them in writing to Att: Project Leader, J. Clark Salyer NWR, 681 Salyer Road, Upham, ND 58789, or at the refuge office located at this same address. For more information, contact Frank Durbian, Project Leader, 701-768-2548 x113.

FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: _____

Use: _____

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

Decision Criteria:	YES	NO
(a) Do we have jurisdiction over the use?		
(b) Does the use comply with applicable laws and regulations (Federal, State, tribal, and local)?		
(c) Is the use consistent with applicable Executive orders and Department and Service policies?		
(d) Is the use consistent with public safety?		
(e) Is the use consistent with goals and objectives in an approved management plan or other document?		
(f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed?		
(g) Is the use manageable within available budget and staff?		
(h) Will this be manageable in the future within existing resources?		
(i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources?		
(j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future?		

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes ____ No ____

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate _____

Appropriate _____

Refuge Manager: Francis Earl Durbian III, Project Leader

Date: _____

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence.

Refuge Supervisor: _____

Date: _____

Compatibility Determination

Use: Headquarters Entrance Road Paving

Refuge Name: J. Clark Salyer National Wildlife Refuge

County: McHenry, North Dakota

Establishing and Acquisition Authority(ies):

Executive Order 7170, September 4, 1935; and 16 USC 715d; Migratory Bird Conservation Act

Refuge Purpose(s):

"... as a refuge and breeding ground for migratory birds and other wild life ..." Executive Order 7170, dated Sept. 4, 1935

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

National Wildlife Refuge System Mission:

The mission of the 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? Is the use a wildlife-dependent public use?

The Refuge has received money from the Central Federal Lands Highway Division to pave 0.34 miles of the existing gravel entrance road.

This is not a wildlife-dependant public use.

Where would the use be conducted?

The proposed work location is T159N R78W Section 10 NW1/4 (see attached map). Specifically, that portion of the road that extends east, from State Highway 14, to the east entrance to the Refuge Headquarters Building parking area. The proposed work area is the immediate vicinity of the existing road (see attached map).

When would the use be conducted?

Paving this portion of the entrance road is scheduled to occur in summer of 2016.

How would the use be conducted?

Proposed design, construction, and reclamation activities include:

Asphalt paving will be applied to cover the existing gravel road and will match existing road dimensions, with minor variances. The alignment of the entrance will match the existing conditions and the width of the roadway will be approximately 18 feet. Final design details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

Construction will take place at the site of the existing gravel road and will follow standard DOT paving standards as approved by the Central Federal Lands Highway Division. Final construction details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

Vegetation (restored tallgrass prairie) along the shoulder of the road will be disturbed during construction. Upon project completion all portions of the disturbed site will be appropriately graded and restored back to existing conditions using a native seed mix matching the existing. Final reclamation details will be issued to the Refuge for approval prior to issuance of a Special Use Permit.

Why is this use being proposed?

The purpose of this project is to reduce overall maintenance and improve public access to the Refuge.

Availability of Resources:

Resources involved in the administration and management of the use: Limited to issuance of Special Use Permit for demolition and installation. One staff member will also serve as the on-site inspector.

Special equipment, facilities, or improvements necessary to support the use: None

Maintenance costs: Minor and insignificant.

Monitoring costs: None

Offsetting revenues: None

Anticipated Impacts of the Use:*Short-term impacts:*

Temporary disturbance to wildlife and habitat may exist in the vicinity of the initial installation activity.

Long-term impacts:

None.

Cumulative impacts:

None.

Public Review and Comment:**Determination:****Stipulations Necessary to Ensure Compatibility:**

Following an installation/construction/safety plan approved by the Refuge Manager.

Justification:

This project is needed to reduce overall maintenance and improve public access to the Refuge.

If the proposed use is an economic use of refuge natural resources, how would it contribute to the purposes of the refuge or the mission of the National Wildlife Refuge System?

N/A

Signatures:

Frank Durbian, Project Leader

Date

Review:

Bernie Petersen, Refuge Supervisor

Date

Approval:

Will Meeks, Refuge Chief
Region 6

Date

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

J. Clark Salyer NWR Headquarters Entrance Road Paving Project

