

## **Compatibility Determination**

**Use:** Placement of temporary structures on conservation, habitat and FSA (FmHA) easements.

**Refuge Name:** Minnesota Valley Wetland Management District

### **Establishing and Acquisition Authorities:**

Waterfowl Management Wetland Easements- The Migratory Bird Hunting and Conservation Stamp Act, 16 U.S.C. 718d(c); the Fish and Wildlife Act of 1956, 16 U.S.C. 742a-742j; the Emergency Wetlands Resources Act of 1986, 16 U.S.C. 3901; and the Land and Water Conservation Fund Act, 16 U.S.C. 4601-9(a)(1), authorize the Secretary of the Interior to acquire small wetland or pothole areas suitable for use as waterfowl production areas.

FmHA Easements- Consolidated Farm and Rural Development Act 7 U.S.C. §2002

### **District Purposes:**

Waterfowl Management Wetland Easements- “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 Easements- “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 temporary structures to be placed on habitat and FSA easements. These structures can include many things from temporary ground blinds, portable ladder stands to a house on stilts.

To accommodate temporary structures while still protecting the easement, project leaders could issue permits for structures that are temporary in nature, such as a deer stand on wheels that can be placed on the easement before the hunting season and removed after the season.

### **Is the use a priority public use?**

Priority Public use is not applicable as this CD applies to privately held lands the Service holds an easement on. The Service does not purchase the rights to open easement lands to public use.

### **Where would the use be conducted?**

Temporary structures could be used on easements according to the conditions stated on the Special Use Permit (SUP).

**When would the use be conducted?**

Temporary structures could be used on easements according to the conditions stated on the Special Use Permit (SUP).

**How would the use be conducted?**

No structures are allowed on these types of easements, but a SUP could be issued specifying a time frame during which a structure temporary in nature (easily moved) would be allowed on the property.

**Why is this use being proposed?**

Many of the easement properties are purchased and used for hunting and other recreational activities. Through the SUP process, temporary structures can be allowed to support these priority uses.

**Availability of Resources:****What resources are needed to properly and safely administer use?**

Habitat and FmHA easements are currently monitored by Service Federal Wildlife Officers via aerial and ground inspection to ensure landowners comply with the provisions of the easement document. The request for permits and necessary paperwork will require the dedication of staff to this activity.

**Are existing District resources adequate to properly and safely administer use?**

Most of the District offices have a Federal Wildlife Officer to monitor easements. For any that do not, there is a Zone Officer to help with compliance checks. The individual station Comprehensive Conservation Plans detail the needed funds and staffing levels to properly monitor these easements.

**Anticipated Impacts of the Use:****How does the use affect the District purposes, the Refuge System mission, and District goals and/or objectives?**

Since the structures are temporary, they are allowed to be put into place per the requirements of the SUP. The transport of the structure will cause temporary disturbance to the upland vegetation. All issued permits will stipulate when temporary structures can only be placed on and removed from the easement property. No food plots, shooting lanes, unpermitted trails, or other damage to vegetation are permitted in association with the temporary structure.

**Public Review and Comment:**

This compatibility determination is part of the 10-year review for Compatibility Determinations in the Minnesota Wetland Management Districts' Comprehensive Conservation Plan. Public notification and review will include a comment period from 30 April 2014 through 14 May 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:**

The following guidelines pertain:

- No structures are allowed on these types of easements, but a SUP could be issued specifying a time frame during which a structure temporary in nature (easily moved) would be allowed on the property.

Region 3 requires the following stipulations when approving temporary structures:

- Structures must be temporary in nature and should be removed per the specification of the SUP.
- No food plots, shooting lanes, unpermitted trails, or other damage to vegetation are permitted in association with the temporary structure.

**Justification:**

With the above pre-requisites and stipulations, impacts from this permitted use will be temporary. This use will not diminish the long-term productivity of the easement grasslands for waterfowl production or other migratory bird values. Thus, the use will not materially interfere with the waterfowl production or conservation purpose of the easement.

**Signature:** Project Leader \_\_\_\_\_  
(Signature and Date)

**Concurrence:** Regional Chief \_\_\_\_\_  
(Signature and Date)

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