

Compatibility Determination

Use: Trapping of Furbearers

Refuge Name: Minnesota Valley 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.

Refuge 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 National Wildlife Refuge System (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:

Public trapping of resident furbearers on Waterfowl Production Areas (WPAs) in Minnesota in accordance with State regulations. Trapping is permitted for a wide variety of furbearing species and unprotected species; however, mink, raccoon, muskrat, red fox, and beaver are the primary target species.

This Compatibility Determination does not apply to "commercial" trapping activities where the U.S. Fish and Wildlife Service (Service) awards a contract, or permit, for the removal of a species or species to facilitate management (e.g., the Service needs 3,000 muskrats removed from an area to protect a dike system).

By regulation (50 CFR 31.16), lands acquired as WPAs are open to public trapping unless closed under the authority of 50 CFR 25.21. Within the Minnesota Wetland Management Districts (Districts), only nine WPAs have been partially or entirely closed to trapping: three in the Detroit

Lakes District, one in the Litchfield District, and five in the Fergus Falls District. Using 2013 data, trapping is permitted on approximately 197,000 acres of WPAs in Minnesota.

The Minnesota Department of Natural Resources (DNR) maintains information on numbers of trappers, harvest, and population trends of furbearers on a statewide basis. It is estimated that approximately 10,751 trapping licenses were sold during the 2012 season¹. A percentage of these trappers use WPAs. The trend in the number of people participating in trapping in Minnesota is rising, and it is assumed that activity on WPAs mirror the statewide trend. For the 2-year period ending in 2009, the estimated annual average number participating in trapping was 6,593. For the 2-year period ending in 2011, this number had increased to 7,582².

Trappers may utilize leg hold traps, snares, and body-gripping (“Conibear” type) traps for the purpose of trapping various furbearers and unprotected species of wildlife. Each method is qualified under state regulation as to trap size and types of allowable sets in order to protect non-target species and provide for the safe use of the area by others.

Access for trapping on WPAs is almost exclusively by foot. Walking and snowshoeing are the primary means of access. When conditions allow, some limited, non-motorized boat access may occur for the purpose of trapping. Travel on WPAs by highway vehicles, All Terrain Vehicles, Utility Terrain Vehicles, and snowmobiles are prohibited, without a valid special use permit, at all times. Many WPAs have parking lots to facilitate allowed public uses, including trapping.

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

Trapping of furbearers is an existing use.

Is the use a priority public use?

Trapping is not a priority wildlife-dependent public use of the National Wildlife Refuge System, as defined by the Refuge Improvement Act (1997).

Where would the use be conducted?

Trapping could occur in all habitat types (grasslands, aquatic, and forests) that occur on Districts. However, due to the habitat preferences of the primary target species, most of the use would occur in aquatic habitats.

When would the use be conducted?

Trapping will be conducted every year in accordance with state of Minnesota DNR regulations, which are updated annually. In general, Minnesota trapping seasons for various species of wildlife run from mid-October through mid-March, with beaver trapping extending until the end of April. Several species of unprotected mammals (i.e., weasel, coyote, striped skunk, gophers, and porcupine) may be trapped on a year-round basis. While DNR regulations technically permit such activity, there is no known trapping activity on WPAs for those unprotected species, outside of the traditional winter “season” when pelts are in prime condition. Minnesota regulations have established trap tending hours of 5:00 a.m. until 10:00 p.m.

How would the use be conducted?

Trapping will be open to the public in accordance with DNR state regulations, relevant regulations within the National Wildlife Refuge Act (50CFR 25 – 32), and each District’s special

regulations as defined within 50 CFR 32.42 or otherwise posted in accordance with 50 CFR 26.22 (“Any person entering or using any national wildlife refuge will comply with ... the provisions of any special regulation and any other official notification ...”).

Why is this use being proposed?

Trapping is a management tool that assists with managing furbearer populations (of which likely has an indirect positive impact on waterfowl production), protects the District’s infrastructure, and provides the public an opportunity for another traditional wildlife dependent use. Annually, furbearers cause damage to dikes and water control structures requiring staff and equipment resource commitment. Additionally, furbearers are the predominant predators of waterfowl and other ground and low nesting birds. While this activity is a non-priority public use, it is an activity that is a valued form of recreation for visitors to the Districts.

Availability of Resources:

What resources are needed to properly and safely administer use?

Under the current structure of the trapping program, sufficient staff exists to oversee the program as long as the distribution of Law Enforcement personnel remains at least at the current level. Administrative costs to implement and monitor the trapping program are minor. Facilities and staff are currently available to provide information and access.

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

There is no incremental increase in administering this activity, as allowed, above the station’s general operating costs that can be attributed directly to the public trapping program.

Anticipated Impacts of the Use:

How does the use affect District purposes, the Refuge System mission, and District goals and/or objectives?

Public trapping can potentially impact waterfowl production on WPAs through both direct and indirect impacts. Direct impacts are those where there is an immediate cause and effect relationship between the activity and the resources required to fulfill the Districts’ purpose of waterfowl production and the System mission. Direct impacts may include the incidental killing or displacing of waterfowl during the pair bonding/nesting season, or destruction of nests by trampling. Indirect impacts are those where the effects of the permitted activity affect other populations or habitats that in turn have direct impacts on waterfowl production and the System mission. Indirect impacts may include catch of target and non-target species that are predators on waterfowl and/or nests, or removal of species that induce habitat change (i.e., beaver). Impacts, either direct or indirect, may be negative, neutral, or positive.

Due to the temporal separation of trapping activities and waterfowl use of the areas during reproductive activities, direct impacts to waterfowl production by trappers is negligible. Beaver trappers using WPAs after early March, undoubtedly disturb individuals on occasion, and cause temporary displacement of waterfowl from specific and limited areas. These impacts would be occasional, temporary, and isolated to small geographic areas. Any habitat change as a result of the physical impacts of trapping activity (trampling, etc.) is undetectable and insignificant. Indirect impacts to waterfowl production do result from the removal of animals under a trapping

program. In many instances these impacts are positive. Many species that may be trapped are predators on waterfowl at various stages of the reproductive cycle. Controlling populations of predators on waterfowl has generally positive impacts on the WPA purpose which vary in significance among areas. Timing of the removal of predators, size of the WPA, and adjacent land use all affect the degree to which predator management, through a public trapping program, benefits waterfowl production.

Impacts to waterfowl production habitat occur as a result of the removal of species such as beaver and muskrat. Beaver damming activities may raise water levels in wetland systems. Due to the societal pressures and expectations to manage water levels on WPAs, managing beaver and muskrat populations at reasonable levels through a public trapping program results in positive impacts to waterfowl production and minimizes the need to commit Service resources to the same end.

When considering impacts to the System mission, impacts also include those to the furbearer populations themselves. Individual animals are harvested and thus removed from the population. However, data indicates these furbearer populations, with the exception of red fox, are increasing or stable. “Over the last 10 years, red fox indices in both the Farmland and Transition zones had declined to levels well below their long-term averages. However, red fox indices in the Transition zone have been steadily increasing and have now returned to their long-term average. Red fox indices in the Farmland Zone have also increased in recent years, though they remain below the long-term average.”² This positive trend indicates that the red fox population is generally healthy and recovering.

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

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Trapping activity must be conducted in compliance with existing Minnesota state regulations.
2. Trappers must comply with existing WPA access and use regulations.

Justification:

Direct impacts to the waterfowl production purpose are negligible due to the temporal separation of most trapping activity and the use of WPAs by waterfowl for production. Limited disturbance of individuals and pairs undoubtedly occurs from beaver trapping activity occurring after early March. These temporary and isolated disturbance events result in temporary displacement of birds from a specific location. Due to the duration of these events, the small number of individual waterfowl involved, and the limited geographic area impacted by the presence of one or a few individuals, these impacts on waterfowl production and the System mission are negligible.

Indirect impacts to waterfowl production occur as a result of the effects of trapping on the target, or non-target, species' populations. Most species of interest to trappers and common "non-target" catches (i.e., skunk, feral house cat) are predators on waterfowl at some point in the reproduction cycle. Management of red fox, raccoon, mink, otter, and skunk populations, through a regulated trapping program is, at worst, a neutral impact, and likely a positive one in most cases on the waterfowl production purpose. Due to edge effects and concentrations of nesting waterfowl, the impacts of predator management are likely inversely related to WPA size. The average size of Minnesota's WPAs is less than 200 acres. In these small parcels, the effects of only a few individual predators can be highly significant on waterfowl production in the local area. Timing of the removal of predators also affects the impact that this activity has on waterfowl production. Again, depending on the time of year, impacts on waterfowl production may be neutral or positive. While there is considerable debate about the effects of the presence of coyotes on waterfowl production, the density and subsequent harvest of coyotes through the trapping program is insignificant. The harvest of other species that are permitted under state regulation (i.e., gray fox, badger, opossum, pine marten, fisher, otter, and bobcat) are also considered to have insignificant impacts.

Other indirect impacts on waterfowl production occur as a result of the manipulation of populations of species that affect habitat. Beaver and muskrat, by their nature, affect habitat that, in turn, may affect waterfowl production. Upon initial analysis, we often think of beaver and their wetland damming activities, and muskrat with their propensity to maintain open water, as beneficial to waterfowl production. In exceptionally large marshes and in pre-settlement times, this was likely the case. However, the landscape of western and southern Minnesota has been so altered through agricultural conversion that few historic ecosystem functions remain intact. Other than the fact that water continues to flow downhill, the hydrology of this landscape bears little resemblance to its pre-settlement conditions. Ditches, dikes, levees, roads, culverts, tile lines, pumps, and water control structures work to move and confine water with calculated purpose. Ramifications of disruption to this system can include private property damage, public safety hazards, disgruntled neighbors, and legal liability. As a result, the U.S. Fish and Wildlife Service intensely manages water on WPAs to provide for waterfowl production and to fulfill the mission of the National Wildlife Refuge System, while remaining within societal constraints. Left unchecked, beaver activity results in disruption to the water flow when culverts and water control structures are blocked. High muskrat populations are detrimental to levees and dikes as individuals burrow into these structures and compromise the structural integrity. Without the ability to control water levels, our waterfowl production purpose would suffer as would our ability to contribute to the System mission. A public trapping program facilitates management of beaver and muskrat populations at such levels that many benefits created by these species are

realized, yet the ability of the Service to manage water levels is not compromised. On a statewide basis, beaver harvest has remained fairly stable over the past decade and the 2011 harvest was slightly above the 10 year average ². The muskrat harvest fluctuates widely driven by fur prices and the natural fluctuations in muskrat populations.

Overall, trapping is a very minor public use of WPAs, but is an important management tool in localized areas. The public trapping program on WPAs allows for public opportunity and management of furbearer populations. Consistent with the National Wildlife Refuge System mission, trapping on WPAs results in management of populations and is not a “control” program intending to eliminate components of the ecosystem for the benefit of others. Data from the state of Minnesota DNR on trapping activity and wildlife populations, indicates removal of individuals, under the current management scheme, is not resulting in harm to the target populations. The public trapping program, as managed, does not materially interfere with or detract from the Service’s ability to meet the purpose of waterfowl production or the mission of the National Wildlife Refuge System.

Signature: Project Leader

(Signature and Date)

Concurrence: Regional Chief

(Signature and Date)

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

¹ Thompson, J.W., editor. 2012. Minnesota Department of Natural Resources License Center Statistics, 2012. Division of Fish and Wildlife, Minn. Dept. Nat. Res., St. Paul, Minnesota. 46 pp.

² Dexter, M.H., editor. 2012. Status of Wildlife Populations, Fall 2012. Division of Fish and Wildlife, Minn. Dept. Nat. Res., St. Paul, Minnesota. 311 pp.