

Draft Compatibility Determination

Use: Running events with or without fundraising

Refuge Name: Port Louisa National Wildlife Refuge

Establishing and Acquisition Authority(ies):

The Mark Twain National Wildlife Refuge (NWR), including the land area now managed as Port Louisa NWR, was established under the provisions of a Secretarial Order signed on August 1, 1958. Individual districts of the Mark Twain NWR were designated as separate National Wildlife Refuges in a reorganization change as part of the Comprehensive Conservation Plan (CCP) in 2004 when Port Louisa was named. Much of the refuge consists of lands acquired in fee title by the U.S. Army Corps of Engineers that are managed as part of the refuge under a Cooperative Agreement between the Department of the Army and the Department of the Interior.

Establishing Authorities:

Refuge Recreation Act (16 U.S.C. 460k-1)

Migratory Bird Conservation Act (16 U.S.C. 715d)

Fish and Wildlife Coordination Act (16 U.S.C. -664)

Emergency Wetland Resources Act of 1986 (16 U.S.C. -3901(b) 100 Stat. 3583)

1985 Food Security Act

Refuge Purpose(s):

- "...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. -715d (Migratory Bird Conservation Act)
- "...shall be administered by (Secretary of the Interior) directly or in accordance with cooperative agreements...and in accordance with such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon,..." 16 U.S.C. -664 (Fish and Wildlife Coordination Act)
- "...suitable for - (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species..." 16 U.S.C. 460k-1 (Refuge Recreation Act)
- "... the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and to help fulfill international obligations contained in various migratory bird treaties and conventions ...” 16 U.S.C. -3901(b), 100 Stat. 3583 (Emergency Wetlands Resources Act of 1986)
- “... for conservation purposes”, (1985 Food Security Act in conjunction with the transfer of Farm Service Agency, formerly Farmers Home Administration, property)

National Wildlife Refuge System Mission:

The mission of the National Wildlife 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:

The use is running events held on the refuge which may or may not include fundraising. The refuge occasionally receives requests from external organizations to have events involving recreational runs such as 5K runs or fun runs. An event called 'Running Wild' has been held on the refuge for many years that was previously determined to be compatible. That compatibility determination has expired and this use is now being reviewed. This use was previously determined compatible because of the conservation related nature of the event as well as the timing, location, and educational components. That event was hosted by the Tri-Rivers Conservation Foundation and organized by Louisa County Conservation as a fundraiser for a new conservation interpretive facility. This revised compatibility determination addresses any requests for runs to be held on the refuge.

This use would only occur on established roads on the Louisa Division. The auto tour loop provides the best location as a safe route with a good surface, it provides controlled access, and minimizes wildlife disturbance if conducted at the right time of year and time of day. The number of participants would be limited. The other refuge divisions either do not have adequate facilities, appropriate surfaces or locations, or would be too disturbing to wildlife due to the distribution of habitat and the lack of roads or trails.

Runs could only occur from January 1 until September 15 outside of refuge closed periods and at times of day that are least disturbing to wildlife. Runs would be of short duration (a few hours). Runs would not be allowed on the auto tour during spring bird migration in March. Flooding in spring and early summer may limit activities on the refuge as well.

The run would be administered by an outside group and permitted through a refuge Special Use Permit. However, refuge staff would be involved with planning and be present at the event to ensure stipulations are followed. Administrators of the run need to account for safety and be prepared with first aid resources. Running events need to include wildlife observation, environmental interpretation or education such as displays and programs for visitors to provide an understanding of the refuge and its purposes.

Events may be requested from various organizations and runs are typically held as fundraising events. Commercial enterprises related to runs are not allowed on the refuge. Fundraising that is not for profit will be allowed as part of runs on the refuge, but the aim of the fundraising must be related to the refuge mission such as conservation purposes or environmental education. For example, the 'Running Wild' event held in the past has been to raise funds for a county conservation interpretive center. Or funds may go to an organization such as the Friends of Port Louisa NWR for furthering the mission of the refuge. Runs that are held to raise funds for cancer benefits or similar efforts would not be allowed. Requests for running events will be evaluated on a case by case basis, but it is not anticipated that more than one or two runs will be allowed per year.

Availability of Resources:

Running events will take more staff time to oversee than some other requested activities. Administrative time is needed for processing special use permits and associated oversight to ensure stipulations are followed. Facilities such as parking lots and roads will need to be prepared and maintained, bathroom facilities arranged, and signage in place to ensure the area is safe for visitors with appropriate directions. Clean up afterwards is the responsibility of the event organizer, but may require some staff time. Staff will also be involved the day of the event to help with a larger number of visitors and educational displays. Therefore, this use can occur only infrequently due to limited staffing so that refuge resources can be focused on managing priority wildlife dependent recreation uses.

Anticipated Impacts of the Use:

The short term impact is disturbance to wildlife in the immediate area of the run. The event will be limited to only a few hours on one day and will not occur during periods of peak wildlife use. Past run events on the refuge have been held in August when much of the refuge is dry and there is less wildlife use of wetlands that are along the path of runners. If an event were held earlier in the season when water is present adjacent to the auto tour, then higher numbers of wildlife may be disturbed, but it would generally be single animals scattered throughout and not large congregations of animals. There may be some disturbance to wading birds, raptors, song birds, reptiles and amphibians. Runs held during the spring/early summer breeding season could disturb nesting birds, but the disturbance would be just once as runners went by and would not be a repeated disturbance. Repeated runs, such as for track team practice, are too disturbing to wildlife and habitat due to the number of people and repeated nature of the activity. These types of runs are not considered compatible and may cause a cumulative impact with other compatible wildlife dependent activities.

The auto tour road is also the refuge maintenance road and receives a moderate level of human activity throughout the year. It is also open to fishing, wildlife observation and photography, walking and bicycling by the public from January 1 until September 15. The auto tour is open to driving by the public on select days when road conditions allow. One event for a few hours should not disturb wildlife along the route to an undesirable level. A larger group of people will be more disturbing, but the length of time that runners/walkers are present on each mile of the road should not exceed 20 minutes. The potential area of disturbance is small compared to the entire Louisa Division and refuge.

Most of the concentrated use for organized runs will be for registration and displays and will be in the main Louisa Division inlet parking lot. This parking area receives frequent public use during the summer and is located where human disturbance is already present from the adjacent county road and residences. Wildlife have already adapted to human use at this location. The parking area is also where portable bathrooms and trash facilities would be located during the event. The parking lot is situated on the periphery of the Louisa Division and is well screened and buffered by woodlands from the wetland and grassland habitat interior of the refuge. Little disturbance to wildlife in wetlands and interior habitats is expected. Therefore, disturbance to wildlife from people congregating at the parking lot will be low.

If the event is held in late summer then there may be temporary conflict with high fishing use at the parking lot and inlet area of the Louisa Division. However, past experience has shown there to be ample space for the run event along with normal public use levels. A running event would be only for a few hours and then normal public use levels would resume. The event will be advertised so that local refuge users might be aware of it ahead of time and adjust their activities accordingly if so desired.

There are no expected impacts to facilities that are outside of normal public use. The auto tour surface is gravel and can withstand the amount of foot traffic from a run. The main entrance road receives a high amount of vehicle use throughout the season. If it is wet, then the number of cars for this one-time event may cause some ruts, but generally the gravel surface holds up well.

No long term or cumulative impacts are expected as long as these types of events are infrequent. Events such as 'Running Wild' do provide a venue for educating people about the refuge and conservation as well as the wildlife dependent recreational opportunities on the refuge.

Public Review and Comment:

A run event was previously determined compatible in 2004 and is now being revised under the mandatory re-evaluation time period.

A draft of this Compatibility Determination will be available for public review and comment for 14 days at the Refuge Office in April 2016. The document will also be available for public review on the Refuge's webpage, through local media outlets, and notices posted at libraries.

Determination:

Use is Not Compatible

Use is Compatible with Following Stipulations:

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with the National Wildlife Refuge System mission and Port Louisa National Wildlife Refuge purposes, goals and objectives, the activity can only occur with the following stipulations:

1. A Special Use Permit will be issued to the organization hosting the event.
2. Recreational run events will be limited to designated routes on established roads on the Louisa Division.
3. Sites of congregation such as registration or water stations will be coordinated in advance of the event to avoid sensitive sites and minimize wildlife disturbance.
4. The organization hosting the event will arrange for any safety needs such as a first aid station or EMT on site.
5. The organization hosting the event will arrange for needed facilities such as portable bathrooms or trash containers and will ensure facilities are returned to the condition they were in prior to the event.

6. The number of attendees and the number of events will be limited by the refuge manager to avoid excessive wildlife or habitat disturbance.
7. Events will include environmental interpretation and education as well as information about Port Louisa NWR for attendees.

Justification:

This use will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of Port Louisa NWR. Events will be regulated through Special Use Permit, limited in scope, number, and location. Concentrated activities associated with the event will be limited to refuge facilities that are already developed and already have some level of disturbance from allowed public uses. The event will take place on established roads away from sensitive habitats and at times that reduce wildlife disturbance. Events will include environmental interpretation and education which are priority wildlife dependent uses under the National Wildlife Refuge System Improvement Act and are included in the goals of the refuge's Comprehensive Conservation Plan. There are existing compatibility determinations for those activities. Environmental interpretation and education as part of run events will allow the visiting public to experience and learn about wildlife and conservation. The temporary nature and short duration of this type of event reduces the likelihood of adverse short or long term impacts to plant and wildlife resources.

Refuge Manager:

Catherine J. Nigg Date

Concurrence:

Sabrina Chandler, Refuge Supervisor Date

Regional Chief:

Charles Blair, Refuge Chief Date

Mandatory 10 or 15 year Re-evaluation Date: 2026