

## **Draft Compatibility Determination**

**Use:** Youth in the Outdoors Day Event

**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 will include an organized *Youth in the Outdoors Day Event* (Greenwing Day) at Swan Lake conducted in partnership with Ducks Unlimited.

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

This event falls under the category of Education and Interpretation, which is a priority public use of the National Wildlife Refuge System. All activities associated with this use are in support of carrying out a successful Conservation Education event. These activities allow us to draw a diverse audience to the Refuge to learn about its mission and the importance of conservation especially with regards to the National Wildlife Refuge System.

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

This use is conducted in the area around the Refuge Visitor Center. This area is identified in the approved Swan Lake CCP Objective 3-6, Strategy 1 (U.S. Fish and Wildlife Service 2011: 44) as a site for environmental education and interpretation.

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

This use is conducted on a Saturday during daylight hours sometime between May and September. It varies from year to year depending on other events at the Refuge and in the surrounding areas.

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

This is an event that is sponsored by Ducks Unlimited. The majority of the event is conducted by DU volunteers with the support of Refuge staff and volunteers. This event is designed for youth under the age of 18 and publicized through the local media.

It consists of various stations featuring conservation and outdoor education topics. The activities during the event are listed as follows:

Ducks Unlimited Station: Operated by DU Volunteers, this station has various DU promotional materials available. They also operate a small plastic pool that younger kids are allowed to pick small plastic ducks out of and win small prizes donated by Ducks Unlimited.

Bird Identification Station: This station is conducted by Audubon volunteers at the nature trail overlook. It involves tips on bird identification, discussion of field guides, and other birding tips. They utilize the viewing scopes that are permanently mounted on the overlook, as well as scopes provided by volunteers that are set up on the overlook and trail.

Wetlands Station: This station is conducted by volunteers from other agencies or Refuge staff and volunteers. It involves wetland education activities, including taking samples of vegetation and aquatic insects in the small pond located by the Refuge Visitor Center. This small pond is often utilized for this activity and located in the approved area for these types of activities as identified in the Swan Lake CCP Objective 3-6, Strategy 1 (U.S. Fish and Wildlife Service 2011: 44).

Agency Stations: Various information booths are staffed by different agencies and organizations that vary year to year depending upon availability. Examples of these include agencies such as the Missouri Department of Conservation, Missouri Department of Natural Resources, USFWS Ecological Services, Natural Resources Conservation Services, and County Extension Offices; along with Non-governmental conservation organizations such as local chapters of Pheasants Forever, Quail Forever, and the Missouri Trappers Association. These agencies and organizations are approved by the Refuge Manager prior to being scheduled for the events.

Archery Station: This station is conducted by Refuge Staff and volunteers that are certified National Archery in the Schools Program (NASP) instructors. They utilize all the NASP procedures and equipment. This activity is pending compatibility approval in a stand-alone Compatibility Determination. The activity will be carried out in accordance with the specifications of that Compatibility Determination.

Dog Retrieving Demonstration Station: This station is conducted by a volunteer dog handler approved by the Refuge Manager. It is pending compatibility approval in a stand-alone Compatibility Determination. The activity will be carried out in accordance with the specifications of that Compatibility Determination.

Viewing Tower Tours: The Refuge viewing tower is opened for groups of five at a time to go up for viewing purposes. This tower has been on the Refuge for many years and is included in our Station Safety Audits. There is a Refuge volunteer that staffs the tower and controls the number of people going up the tower at one time.

Turtle Tank/Reptile Station: This station has a few water turtles and sometimes small non-poisonous snakes that are captured on the Refuge and released after the event. Refuge staff and/or Ecological Services staff are responsible for operating and managing the station. They provide interpretation of reptiles and amphibians, and the role they play in the Refuge environment. All live wild animals utilized in this station will be done so in accordance with the “Handling of Live Wild Animals”, subsection (#4) in the Stipulations Necessary to Ensure Compatibility Section of this Compatibility Determination.

Canoeing: This station is managed by Refuge staff or volunteers. The necessary equipment (canoes, paddles, and lifejackets) is provided by the Missouri Department of Conservation at no cost to the Service. While the entirety of Swan Lake NWR is open to non-motorized boating from March through October, this activity takes place on the small pond by the Refuge Visitor Center. This small pond is often utilized for this activity. It is located in the approved area for these types of activities, as identified in the Swan Lake CCP Objective 3-6, Strategy 1 (U.S. Fish and Wildlife Service 2011: 44). This pond has an average depth of 3 feet, and may be up to 4 foot deep at the deepest point. All participants are required to put on a life jacket prior to boarding a boat. Before entering a canoe they are instructed on how to properly and safely enter, operate, and exit a canoe by who is in charge of the station. Additionally, the Refuge staff member or volunteer in charge of the station is equipped with a throw cushion in the case of an emergency.

Duck Wing Maze: This station utilizes a kit provided by Missouri Department of Conservation. The kit has different duck wings in which participants learn how to identify duck species by looking at the wing. They take their wing to different points that have a sign. This sign tells them which sign to go to next based upon a characteristic of the wing they have. They ultimately end up at a sign that tells them what species the wing they have belongs too. This maze takes up a space of about 50’ x 50’ and placed in the lawn area around the Refuge Visitor Center. The station is operated by Refuge volunteers.

Refuge Tours: These tours are given by Refuge staff with our tractor drawn trailer manufactured to haul people. This activity is pending a stand-alone Compatibility Determination. The activity will be carried out in accordance with the specifications of that Compatibility Determination.

Stream Box Station: This activity utilizes the Refuge stream box to educate participants about how water and streams affect the landscape. It provides a hands-on opportunity for children to manipulate different landscape features to see how that affects stream flows and the overall landscape. It is overseen by a Refuge staff person and sometimes other agency personnel such as Natural Resources Conservation Service or Missouri Department of Conservation, with the assistance of Refuge volunteers.

Friends Food Booth: The Friends of Swan Lake (Friends) in partnership with other community organizations provides food such as hotdogs, hamburgers, and chips along with soft drinks and water. This activity is addressed in a stand-alone compatibility determination. Please see if for more details.

Goose and Duck Calling Contest: This contest is conducted by Ducks Unlimited at the Refuge amphitheater. It is for ages 18 and below at no cost to enter, and judged by volunteer judges. There are various age categories in which the children compete in. The top three winners in each category are awarded prizes by DU and all participants are awarded a participation prize.

Amphitheater Program: A feature program is usually conducted at the Refuge amphitheater in accordance with the Compatibility Determination that was approved for the Amphitheater (Schulz and Whitson 2012). This program is done in accordance with the CD for the Amphitheater and generally includes something like a Bald Eagle program such as used at Eagle Days or some other wildlife related program that can vary from year to year.

### **Why is this use being proposed?**

This is an event is being proposed because it incorporates many aspects of Refuge Public Use Policies such as stated in Service Manual 605 FW 1 General Guidelines for Wildlife-Dependent Recreation Section 1.7:

We promote the Refuge System mission through strong national and local communication, consistent outreach, wildlife-dependent recreation opportunities, and special events that showcase the Refuge System's roles in conservation efforts. We also use these means to increase the public's understanding and appreciation for conservation and natural resources and expose a broader spectrum of the public to the enjoyment of natural resources. We encourage refuge managers to host special events and seek local media coverage for National Wildlife Refuge Week, International Migratory Bird Day, National Hunting and Fishing Day, Youth Hunting Days, National Fishing Week, hunts for individuals with disabilities, and celebrations of refuge anniversaries, where appropriate (U.S. Fish and Wildlife Service 2006).

This event helps to achieve these stated purposes and helps to build connections between different governmental organizations, non-governmental organizations, and the local communities around Swan Lake NWR.

It accomplishes all this, while connecting a broader spectrum of the public to the resources of Swan Lake NWR than would normally visit the Refuge under usual circumstances. This use fulfills the findings in Section 2 (2) and (6) of the National Wildlife Refuge System Improvement Act of 1997 (U.S. Congress 1997), in support of the big six priority public uses on a national wildlife refuge.

This event enhances conservation partnerships as defined in Executive Order 12996 (1996) Sec. 2 (C) and U.S. Fish and Wildlife Service National Policy Issuance #96-09 Sec. B.3 (U.S. Fish and Wildlife Service 1996).

This event also helps to foster our Refuge volunteer program and achieve strategies outlined in the CCP Strategy 4 of Objective 3-8 (U.S. Fish and Wildlife Service 2011: 45). It also supports the Refuge conservation education program by achieving strategies outlined in the CCP Strategy 6 of Objective 3-6 (U.S. Fish and Wildlife Service: 44).

## **Availability of Resources:**

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

Refuge staff is needed to help coordinate aspects of the event and approve what the DU volunteers have planned for the event. This requires 2-3 coordination meetings in the months leading up to the event to ensure activities planned are appropriate and fit with the intentions of the event. There are certain activities that are provided by Refuge staff that are listed in the “How Would This Use Be Conducted” Section of this CD that will require Refuge staff or qualified volunteers.

Adequate grounds and facilities are necessary to carry out this event such as water, buildings, trash cans, parking, and tables for some of the booths. Numerous volunteers are also needed to help with setting up, cleaning up, and coordinating the day’s activities.

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

The activities that are mentioned 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 would not be carried out in that particular event. The Refuge Visitor Center and grounds around the visitor center are adequate to carry out this event. The Refuge does have trash facilities capable of handling this event, and there is adequate parking around the Visitor Center area and in the lawn area to the north of the Maintenance Shop facility. Both of these areas provide safe access to and from, and accommodate the flow of traffic. We have volunteers that help oversee parking during events such as this. An adequate number of volunteers are provided by DU and the Friends of Swan Lake to assist with setting things up, cleaning up, and coordinating the activities during the day.

**Accessibility:** The Visitor Center, amphitheater, restrooms, and nature trail overlook all meet accessibility standards requirements. There is accessible parking located in the visitor center parking lot. The areas these activities are carried out in the lawn areas around the visitor center area and are often utilized by people in wheel chairs without any problems. We will do everything necessary and reasonable to make sure all the stations 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. This activity falls under Environmental Education and Interpretation, which are priority general public uses of the National Wildlife Refuge System that support the goals of the NWRS. The activity also allows the Refuge 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 Refuge events. 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)

## **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 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 open to public use that provide little habitat benefits to Refuge wildlife.

### Biological Integrity, Diversity, and Environmental Health

Activities from these demonstrations are not expected to adversely impact the biological integrity, diversity, and environmental health of the Refuge. This event occurs only once a year, and does not occur at peak wildlife migration times. Further, it occurs in developed areas that are not heavily used by Refuge wildlife. An Intra-Service Section 7 Biological Evaluation for listed Endangered Species present on the Refuge has been conducted for the site where this use will occur. Species and determinations include Least Tern (*Stemula antillarum*), Indiana Bat (*Myotis sodalis*), and Piping Plover (*Charadrius melodus*) with a “No Effect” determination. A “Not Likely to Jeopardize candidate or proposed species/critical habitat” determination was made for the Proposed Northern Long-Eared Bat (*Myotis spetentrionalis*) found in the areas around the Refuge.

### 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. These different stations are pre-arranged by Refuge staff to ensure safety is addressed with regards to the activities at the station and its placement in orientation to other activities. Safe and adequate parking is available, and volunteers are available to ensure proper parking. All parking volunteers are provided with orange safety vest. There is a first aid station clearly identified at the Visitor Center. It 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 approved by the Refuge Manager prior to the event being formally publicized.
2. The placement of all activities is determined by the Refuge Manager prior to the event.
3. No commercial services or sales of goods or services are to be conducted by individuals, agencies, or organizations that are involved or participating in the event.
4. Handling of Live Wild Animals for Demonstrations will be done so under the following stipulations:
  - Collection of amphibians and reptiles for outreach events are done in accordance with the Missouri Wildlife Code in that no more than 5 individuals of any one species is collected and none are species of concern, state listed, or federally listed. See the Missouri Code of State Regulations 3 CSR 10-9.110 (1) (A) (Kander 2013).
  - Amphibians and reptiles utilized are non-poisonous species.
  - This use must be reviewed annually to make sure no other State or Federal statutes pertain to the collection and temporary holding of the herpetofauna.
  - Animals are maintained and handled humanely and held for a short duration (less than a week). Efforts are made to minimize stress to animals while holding in captivity and during handling. Stress which may occur, however, is unlikely to impact survivorship or reproductive potential.
  - Handling of animals is closely supervised by biologist or other qualified Refuge staff or approved volunteers. Disinfectant is provided to those individuals handling turtles and snakes to prevent disease transmission.
  - All animals are released at the original point of capture.

**Justification:**

In view of the above and with the stipulations previously described, the Youth in the Outdoors Event will not materially interfere with or detract from the NWRS mission or purposes of the Refuge. Environmental education and interpretation are priority public uses

of the Refuge System, and providing this activity contributes to achieving Refuge goals. Well-designed environmental education and interpretation programs can be effective resource management tools that provide an opportunity to influence visitor attitudes about natural resources, refuges, the Refuge System, and the Service.

**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](http://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>)
- Kander, Jason. Missouri Secretary of State. 2013. “Rules of Department of Conservation: Division 10—Conservation Commission: Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards.” Retrieved February 7, 2014 (<https://www.sos.mo.gov/adrules/csr/current/3csr/3c10-9.pdf>)
- Schulz, Rick, and Steve Whitson. 2012. *Compatibility Determination: Outdoor Interpretive Amphitheatre (Interpretation)*. Department of the Interior, U.S. Fish and Wildlife Service, Region 3, Bloomington, MN.
- U.S. Congress. 1997. *National Wildlife Refuge System Improvement Act of 1997*. Passed October 9, 1997. Retrieved February 6, 2014 (<http://www.fws.gov/northeast/planning/downloads/NWRSImprovementact.pdf>)
- U.S. Fish and Wildlife 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](http://www.fws.gov/policy/npi96_09.html))
- U.S. Fish and Wildlife Service. 2006. *605 FW 1: General Guidelines for Wildlife-Dependent Recreation*. By Division of Conservation, Planning and Policy. Released July 26, 2006. Retrieved online February 6, 2014 (<http://www.fws.gov/policy/605fw1.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.