

FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: Guadalupe-Nipomo Dunes

Use: Research

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.

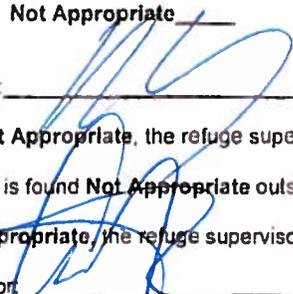
If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes No

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

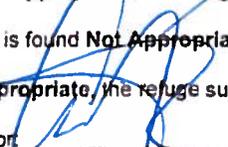
Refuge Manager:  Ken Convery
for Glenn Greenwald

Date: 8/11/14

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: 8/14/2014

A compatibility determination is required before the use may be allowed.

COMPATIBILITY DETERMINATION

Use: Research

Refuge Name:

Guadalupe-Nipomo Dunes National Wildlife Refuge (NWR), San Luis Obispo County, California.
http://www.fws.gov/refuge/Guadalupe-Nipomo_Dunes/

Establishing and Acquisition Authority:

Guadalupe-Nipomo Dunes NWR was established in 2000. Legal authority is the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended.

Refuge Purpose(s):

The U.S. Fish and Wildlife Service (USFWS) acquired these lands "... to conserve (A) fish or wildlife which are listed as endangered species or threatened species ... or (B) plants." 16 U.S.C. § 1534 (Endangered Species Act of 1973, 16 U.S.C. § 1531-1543, as amended).

The purpose of the Refuge is to protect and conserve the unique central California coastal dune and associated wetland habitats and the endangered and threatened wildlife and plants that inhabit them.

National Wildlife Refuge System Mission:

"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." (National Wildlife Refuge System Administration Act of 1966, as amended [16 U.S.C. 668dd-ee]).

Description of Use:

Two provisions of the National Wildlife Refuge Improvement Act are to "maintain biological integrity, diversity and environmental health" and to conduct "inventory and monitoring." Research investigations are designed to address these provisions by answering specific management questions. These include, but are not limited to, evaluation of vegetation and wildlife response to habitat management techniques, wildlife and plant population monitoring, documentation of seasonal wildlife movements and habitat use, wildlife disease investigations, and development of invasive species management techniques. Pertinent results from research investigations are incorporated into management plans and actions, and help strengthen the decision-making process.

The Refuge proposes to give priority to studies that contribute to the enhancement, protection, preservation, and management of native Refuge plant and wildlife populations and their habitats. Research applicants are required to submit a proposal that outlines: (1) objectives of the study; (2) justification for the study; (3) detailed methodology and schedule; (4) potential impacts on Refuge wildlife or habitat, including disturbance (short and long term), injury, or mortality (this includes a description of measures the researcher will take to reduce disturbance or impacts); (5) research personnel required; (6) status of necessary permits; (7) costs to Refuge, if any; and (8) progress reports and end products (i.e., reports, thesis, dissertations, publications). Research proposals are reviewed by Refuge staff, and if approved, a Special Use Permit (SUP) is issued by the refuge manager to formally authorize any project. Each SUP will include case-specific stipulations and will be reviewed annually.

Evaluation criteria will include, but not be limited to, the following:

- Research that will contribute to specific refuge management issues will be given higher priority over other research requests.
- Research that will conflict with other ongoing research, monitoring, or management programs will not be approved.
- Research projects that can be accomplished off-refuge are less likely to be approved.
- Research that causes undue disturbance or is intrusive will likely not be approved. Level and type of disturbance will be carefully evaluated when considering a request. Suggestions may be made to adjust the location, timing, scope, number of permittees, study methods, number of study sites, etc.
- If staffing or logistics make it impossible for the Refuge to monitor researcher activity in a sensitive area, the research request may be denied.
- The length of the project will be considered and agreed upon before approval. Projects will be reviewed annually.

Availability of Resources:

Some staff time would be required to review research requests and manage research activities. However, Refuge staff would not be expected to commit weekly staff time to managing this use. Adequate funding and staff exist to manage research activities at Guadalupe-Nipomo Dunes NWR.

Anticipated Impacts of Use:

Conducting management-oriented research will benefit Refuge wildlife and plant populations, and their habitat. Monitoring and research investigations will be designed to answer habitat or population management questions, thereby contributing to adaptive management of the Refuge. Natural resources inventory, monitoring and research are necessary tools towards maintaining biological integrity, diversity and environmental health. Information gained from quality research will improve habitat and wildlife populations.

Some negative direct and indirect effects would occur through disturbance, which is expected with some research activities, especially where researchers are entering sensitive habitat areas. Researcher disturbance would include actions like altering wildlife behavior and habitat, going off designated trails, collecting soil, plant and animal samples, trampling of plants and animals, introduction of invasive organisms (e.g., non-native weeds), or trapping and handling wildlife. However, most of these effects would be short-term because only the minimum of samples (e.g., water, soils, vegetative litter, plants, and macroinvertebrates) required for identification and/or experimentation and statistical analysis would be permitted and captured and marked wildlife would be released. Long-term effects would be negligible because Refuge evaluation of research proposals and conditions of SUPs would ensure that impacts, such as disturbance and introduction of invasive organisms, to wildlife and habitats are avoided or minimized. Refuge staff would ensure research projects contribute to the enhancement, protection, preservation, and management of native Refuge wildlife populations and their habitats, thereby helping the Refuge fulfill the purposes for which it was established and the mission of the National Wildlife Refuge System.

Public Review and Comment:

The draft compatibility determination will be available for public review and comment for 21 days.

Determination:

This use as described is determined to be compatible. Potential impacts of research activities on Refuge resources will be minimized because sufficient restrictions and safeguards would be included in the SUP, and research activities will be monitored by the refuge manager. The refuge manager would ensure that proposed monitoring and research investigations would contribute to the enhancement, protection,

conservation, and management of native Refuge wildlife populations and their habitats thereby helping the Refuge fulfill the purposes for which it was established, the mission of the National Wildlife Refuge System, and the need to maintain ecological integrity, diversity, and environmental health.

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations necessary to ensure compatibility:

The criteria for evaluating a research proposal, outlined in the Description of Use section above, will be used when determining whether a proposed study will be approved on the Refuge.

1. If proposed research methods are evaluated and determined to have potential adverse impacts on Refuge wildlife or habitat, then the Refuge staff would determine the utility and need of such research to conservation and management of Refuge wildlife and habitat.
2. If the need was demonstrated by the research permittee and accepted by the Refuge, then measures to minimize potential impacts (e.g., reduce the numbers of researchers entering an area, restrict research in specified areas) would be developed and included as part of the study design and SUP. SUPs will contain specific terms and conditions the researcher(s) must follow relative to activity, location, duration, seasonality, etc. to ensure continued compatibility.
3. All Refuge rules and regulations must be followed unless otherwise accepted in writing by Refuge management.
4. Prior to initiating research activities, the researcher is responsible for securing all required permits and completing all environmental compliance requirements. For example, if the proposed research activity may affect listed species, the researcher is responsible for ensuring compliance with section 10 of the Endangered Species Act.
5. Refuge staff will monitor researcher activities for potential impacts to the Refuge and for compliance with conditions on the SUPs.
6. Research activities will be modified to avoid harm to sensitive wildlife and habitat when unforeseen impacts arise.
7. The refuge manager may determine that previously approved research and SUPs be terminated due to observed impacts.
8. The refuge manager will also have the ability to cancel an SUP if the researcher is out of compliance with the conditions of the SUP.

Justification:

This use as described is determined to be compatible. The Refuge has a biological program that encourages outside experts to conduct research that contributes to management needs. These include, but are not limited to evaluation of vegetation and wildlife response to habitat management techniques, wildlife and plant population monitoring, documentation of seasonal wildlife movements and habitat use, wildlife disease investigations, and development of invasive species management techniques. To support these programs it is necessary to permit research and monitoring on the Refuge that may be beyond current staffing levels, expertise, and funding. Research and monitoring permitted on the Refuge are those that are geared toward improving management or monitoring capabilities. Research and monitoring are appropriate tools to gain additional knowledge for managing the Refuge.

Potential impacts of research activities on Refuge resources will be minimized because sufficient restrictions would be included and will be monitored by the refuge manager and biologist. The refuge manager will also ensure the research program and associated projects contribute to the enhancement, protection, conservation, and management of native wildlife populations and their habitats, thereby helping the Refuge fulfill the

purposes for which it was established, the mission of the National Wildlife Refuge System, and the need to maintain ecological integrity, diversity, and environmental health.

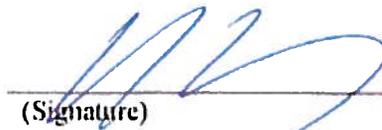
Mandatory Re-Evaluation Date (2023):

Mandatory 15-year Re-Evaluation (for priority public uses)

Mandatory 10-year Re-Evaluation (for all uses other than priority public uses)

Refuge Determination

Prepared by:

 Ken Convery 8/11/14
(Signature) (Date)

Refuge Manager/
Project Leader
Approval:

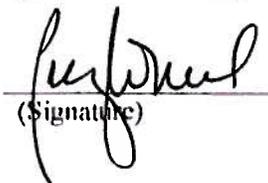
 8/11/14
(Signature) (Date)

Concurrence

Refuge Supervisor:

 8/14/14
(Signature) (Date)

Assistant Regional
Director, Refuges:

 8.14.14
(Signature) (Date)