

COMPATIBILITY DETERMINATION

Use: Research projects by third parties

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 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:

What is the use? Is the use a wildlife-dependent use?

The Refuge allows research investigations on a variety of biological, physical, archeological, and social components to address Refuge management information needs or other issues not related to Refuge management. Studies are or may be conducted by federal, state, and private entities, including the U.S. Geological Survey, state departments of natural resources, state and private universities, and independent researchers and contractors. This is not a wildlife-dependent use.

Where would the use be conducted?

Sites for this use would depend on the particular study being conducted and could occur in a variety of habitat types. Access would be restricted by Special Use Permit to only the study sites needed to meet the objectives of the research.

When would the use be conducted?

The timing of research activities would depend on the individual project. The entire Refuge is open for allowed research activities throughout the year in conjunction with the issuance of a Special Use Permit. The timing and number of visits by researchers may be restricted by Special Use Permit.

How would the use be conducted?

Any research study sites, sampling locations, and transects can be temporarily marked by highly visible wooden or metal posts and must be removed when research ceases. Access to study sites is by foot, truck, all-terrain vehicle, boat, airboat, canoe, and other watercraft. Vehicle use is allowed on Refuge roads, trails, and parking lots normally open to the public.

Why is this use being proposed?

Most research by third parties is done to address Refuge management information needs or to contribute to a larger knowledge base about resources of concern to the Refuge and/or the U.S. Fish and Wildlife Service.

Availability of Resources:

Facilities and staff are currently available to provide access, maintain roads, parking lots, secondary access roads, as well as to issue Special Use Permits for research projects. Staff resources are deemed adequate to manage this use at anticipated use levels. Access points, boats, vehicles, miscellaneous equipment, and limited logistical support are available on the Refuge. Housing is available for researchers who are signed up as Refuge volunteers.

Anticipated Impacts of the Use:

Short-term Impacts:

Research activities may disturb fish and wildlife and their habitats. For example, the presence of researchers can cause waterfowl to flush from resting and feeding areas, cause disruption of birds and turtles on nests or breeding territories, or increase predation on nests and individual animals as predators follow human scent or trails. Efforts to capture animals can cause disturbance, injury, or death to groups of wildlife or to individuals. To wildlife, the energy cost of disturbance may be appreciable in terms of disruption of feeding, displacement from preferred habitat, and the added energy expended to avoid disturbance.

Sampling activities can cause compaction of soils and the trampling of vegetation, the establishment of temporary foot trails and boat trails through vegetation beds, disruption of bottom sediments, and minor tree damage when temporary observation platforms are built or when tree climbers access bird nests.

The removal of vegetation or sediments by core sampling methods can cause increased localized turbidity and disrupt non-target plants and animals. Installation of posts, equipment platforms, collection devices and other research equipment in open water may present a hazard if said items are not adequately marked and/or removed at appropriate times or upon completion of the project.

Long-term Impacts:

Long-term effects should generally be beneficial by gaining information valuable to Refuge management. No long-term negative impacts are expected and the Refuge Manager can control the potential for long-term impacts through Special Use Permits.

Cumulative Impacts:

Cumulative impacts would occur if multiple research projects were occurring on the same resources at the same time or the duration of the research was excessive. No cumulative impacts are expected and the Refuge Manager can control the potential for cumulative impacts through Special Use Permits. Managers retain the option to prohibit research on the Refuge that does not contribute to the purposes of the Refuge or the mission of the Refuge System, or causes undo resource disturbance or harm.

Public Review and Comment:

This compatibility determination was part of the Swan Lake NWR Draft Comprehensive Conservation Plan and Environmental Assessment. Public notification and review included a notice of availability published in the Federal Register, a 30-day comment period, local media announcements, and a public meeting near the Refuge. Comments received and agency responses are included in the final version of the Swan Lake NWR Comprehensive Conservation Plan.

Determination:

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Prior to conducting investigations, researchers will obtain Special Use Permits from the Refuge that make specific stipulations related to when, where, and how the research will be conducted. Managers retain the option to prohibit research on the Refuge that does not contribute to the purposes of the Refuge or the mission of the Refuge System, or causes undo resource disturbance or harm.
2. Researchers must possess all applicable state and federal permits for the capture and possession of protected species, for conducting regulated activities in wetlands, and for other regulated activities. Researchers must demonstrate that they have approval from the Animal Care and Use Committee if required by the research institution.
3. Archeological researchers must obtain an Archeological Resource Protection Act permit from the Regional Director prior to obtaining a special use permit from the Refuge Manager.
4. Researchers will submit annual status reports and a final report concerning Refuge research to the Refuge Manager.
5. Researchers will submit an electronic copy of all raw data collected to the Refuge Manager with the understanding that the researcher will have the opportunity to produce publications based on the data.

Justification:

Research by third parties may play an integral role in Refuge management by providing information needed to manage the Refuge on a sound scientific basis. Investigations into the biological, physical, archeological, and social components of the Refuge provide a means to analyze management actions, impacts from internal and outside forces, and ongoing natural processes on the Refuge environment.

Adverse impacts of research that cause localized vegetation trampling or disruption of wetland bottom sediments are often short-term and would be minimized through stipulations above. Any research equipment that remains in the field for the duration of the project would be clearly marked to avoid potential hazards presented to other Refuge users and/or Refuge staff.

Refuge Manager: Steve Whitson 2-3-11
(Signature and Date)

Concurrence:

Regional Chief: Rick Schultz 2/15/11
(Signature and Date)

Mandatory 10-Year Re-Evaluation Date: 2021