

## COMPATIBILITY DETERMINATION

**Use:** Tree harvest by third parties for personal use, habitat management, or maintenance purposes

**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:

*Is the use a wildlife-dependent use?*

No. Tree harvest for habitat management or maintenance purposes is not wildlife-dependent.

*Where would the use be conducted?*

The use would be conducted in forested areas and in areas where trees are invading otherwise open habitats such as grasslands and moist soil units. Today there are approximately 3,100 acres of bottomland forest on the Refuge.

*When would the use be conducted?*

Tree harvest could occur any time of year at the discretion of the Refuge Manager.

*How would the use be conducted?*

Tree harvesting may be done by individuals for personal use at the discretion of the Refuge Manager and under a Special Use Permit. Harvest may include standing and fallen trees for personal-use firewood. Removal of trees that are a hazard to property and human safety would be permitted in specific circumstances. Tree harvest would be considered and may be

permitted within most forested areas of the Refuge as a method of habitat management. Tree harvesting within these areas may also be conducted by individuals through a Special Use Permit, or through commercial timber sales carried out by professional loggers. The areas open to tree harvest and management strategies would be specified in a Habitat Management Plan.

*Why is this use being proposed?*

The Refuge would allow cutting and removal of trees from the Refuge for the purpose of improving forest diversity and health through thinning, creating openings, or removal of invasive tree species. Personal use tree cutting would also be allowed as a means of maintaining public use trails or roads, i.e., remove blow down, hazard trees, road shoulder maintenance, or for trail modification. Tree removal is also sometimes necessary to restore grassland sites and maintain moist soil units that become invaded by trees.

**Availability of Resources:**

Periodic and small-scale personal use tree harvest operations can be adequately administered with existing staff resources. Any permit fees or timber sale receipts would not off-set costs since these funds are deposited in general accounts and not returned to the Refuge.

**Anticipated Impacts of the Use:**

*How does tree harvesting for personal use affect Refuge purposes, the NWRS mission, as well as fish, wildlife, plants, and their habitats; and the biological integrity, diversity, and environmental health of the Refuge/NWRS?*

Refuge Purposes and NWRS mission

Since its establishment, the Refuge has fulfilled its purposes by providing for the needs of migratory birds and other wildlife, with an emphasis on waterfowl. Tree harvest would be done to meet Refuge habitat management objectives or to assist with maintenance of Refuge roads, trails, or other facilities. This would help fulfill Refuge purposes and is consistent with the NWRS mission.

Fish, Wildlife, Plants, and their Habitats

National Wildlife Refuges are managed first and foremost for wildlife (USFWS 2001). But the focus is on wildlife populations not individuals (USFWS 1992). Harvesting trees would alter habitat and associated wildlife, but would be done in compliance with a Habitat Management Plan to meet Refuge objectives. On sites where tree harvesting occurs there would be periodic short-term disturbance and displacement typical of any noisy heavy equipment operation. These sites may be used by wildlife for feeding and resting at times equipment is not operating. Harvest occurring within forested stands would increase the amount of light available within the understory. This is expected to stimulate new growth and change the structure within these stands. This would in turn affect the types of wildlife attracted to these sites.

### Biological Integrity, Diversity, and Environmental Health

Service policy calls for maintaining or restoring Refuge habitats to historic conditions if doing so does not conflict with refuge purposes (U. S. Fish and Wildlife Service 2001). Removal of individual trees for personal use as described above is not expected to adversely affect the biological integrity, diversity or environmental health of the Refuge. Harvesting trees across a larger area would act as a disturbance agent to promote forest renewal. This would alter the composition, diversity, and abundance of plant and wildlife species in the areas it is practiced. Maintaining a mosaic of structure and age class diversity within forested areas of the Refuge is consistent with alternatives discussed in the draft Comprehensive Conservation Plan (CCP) and with what is known about historic conditions of the area. Harvesting trees does remove woody material and associated nutrients and habitats from the site, but this is mitigated by requiring that some material be left on site. The location, timing, frequency, and duration of any harvesting activity would be guided by a Habitat Management Plan in support of direction included in the CCP.

### **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. Any tree cutting must meet specific habitat and related wildlife/maintenance/safety objectives and contribute to the purposes of the Refuge.
2. Special use permits will be issued by the Refuge Manager and list special conditions that must be met to avoid or minimize adverse impacts to habitat, fish and wildlife resources, cultural resources, and the visiting public.
3. Due to the prevalence of hydric soils, tree harvest will be required to take place when conditions minimize soil compaction, erosion, and impacts to cultural resources.

**Justification:**

Tree harvest has been determined to be compatible because impacts would be minimal and can be controlled by permits, and the activity would ultimately benefit forest, grassland, and wetland habitats, or public use trails on the Refuge. Adverse impacts from harvest would be short-term in nature and more than off set by the long-term gains in wildlife and plant benefits and/or maintained/improved visitor use facilities. Taken in this long-term context, harvest of trees would contribute to the purposes of the Refuge and the mission of the Refuge System.

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

**Concurrence:**

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

**Mandatory 10-Year Re-Evaluation Date:** 2021

References:

- U. S. Fish and Wildlife Service. 1992. Population Management at Field Stations: General. 701 FW 1. Department of Interior. Available URL: <http://www.fws.gov/policy/701fw1.html>
- U. S. Fish and Wildlife Service. 2001. Biological integrity, diversity, and environmental health. 601 FW 3. National Wildlife Refuge System, Department of Interior. Available URL: <http://policy.fws.gov/601fw3.html>