

## **Draft Compatibility Determination**

**Use:** Wetland Education Tours

**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.

“... 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 is a day on which an area school can bring their 4-8<sup>th</sup> graders to the Refuge for a day of wetland education and interpretation.

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

This use falls under the category of Education and Interpretation, which is a priority public use of the National Wildlife Refuge System according to the National Wildlife Refuge System Improvement Act of 1997 (U.S. Congress 1997), Executive Order 12996 (1996), and National Policy Issuance #96-09 (U.S. Fish and Wildlife Service 1996). This use allows Swan Lake NWR to host local children who then learn about its mission and the importance of wetland conservation; with special regards to the National Wildlife Refuge System. Additionally, children have the opportunity to observe wildlife while on the Refuge, which is another priority public use (Executive Order 12996 1996; U.S. Fish and Wildlife Service 1996; U.S. Congress 1997).

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

The first part of the Wetland Interpretation and Education Program is done in the amphitheater near the Refuge Visitor Center. This area is identified in the approved Swan Lake CCP Objective 3-6, Strategy 1 as a site that is suitable for environmental education and interpretation (U.S. Fish and Wildlife Service 2011: 44). Moreover, the amphitheater has been approved for such uses (Schulz and Whitson 2012). Following the program, students are then taken to a wetland unit in the Refuge. Because the use will occur in September, the

Refuge Manager will pragmatically choose a wetland unit that is not being heavily utilized by migrating waterbirds so as to mitigate any disturbance this may cause.

**When would the use be conducted?**

This use is conducted on a weekday from 9-3. It will occur sometime in September when it is suitable for both Swan Lake NWR staff and area schools. September is an optimal month to conduct this use because it is a month when: school is in session, the Missouri weather is typically agreeable, and Refuge wetlands are being flooded but not yet being heavily utilized by migrating waterfowl.

**How would the use be conducted?**

This event is designed for students in 4-8<sup>th</sup> grade, with priority being given to 5-7<sup>th</sup> grade. Area schools are contacted via a flyer announcing the dates on which *Wetland Education Tours* are available. Information on the flyer includes: time and dates available, along with specifics about what the program teaches. The flyer also lists requirements such as maximum number of students allowed to attend (30) with at least 1 teacher or parent chaperone per 10 students attending, how the students should be dressed, notification that they must bring their own lunch, and the need for transportation while on the Refuge.

To sign up a teacher must call the Refuge at least two-weeks prior to the dates specified and pre-register. Pre-registration involves a Refuge staff member or volunteer recording the: number of children coming, number of chaperones, accessibility needs of any students, and contact information for the teacher along with when it is best to reach them. Upon registration the teacher is reminded: to bring sack lunches for the students, when exactly the school will be expected to arrive/depart, about the need for transportation during the tours, and to make sure students dress appropriately.

The first part of this activity takes place at the Refuge amphitheater where students will receive an orientation and perform various wetland activities from the Project Wet programs ([www.projectwet.org](http://www.projectwet.org)) and an overview of how and why wetlands are managed on the Refuge. This will typically be done by a biotech or a Student Conservation Association volunteer.

After the presentation is over the students then have an opportunity to eat lunch in the area around the amphitheater. Once they are done with lunch they are boarded onto their bus. They are then taken to a wetland unit that has been approved by the Refuge Manager. Once the students arrive at the designated wetland unit they are then given a presentation by the Refuge staff member or volunteer that gives an overview of wetland management. This presentation highlights the manner in which the USFWS has promoted the health and development of the wetland unit they are now observing. Following this, students are allowed to gather seed and aquatic invertebrate samples with small nets in order to give them some hands-on observational experience based upon what they have learned throughout the day. This is done from along the shoreline of the wetland unit. Finally, students get back onto their bus and go home.

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

This event is being proposed because it fulfills both general USFWS objectives and objectives that are specific to Swan Lake NWR, as determined by federal policy and the Swan Lake CCP (U.S. Fish and Wildlife Service 2011), respectively. Consequently, it facilitates the missions of USFWS and Swan Lake NWR in the short and long-term.

Regarding general Federal objectives, this is an event that meets two of the Big Six public uses of the Refuge. Specifically, this use promotes environmental education and interpretation and viewing wildlife. Moreover, it meets the 605 FW 1 General Guidelines for Wildlife-Dependent Recreation, which in Section 1.7 reads:

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 [emphasis added]* (U.S. Fish and Wildlife Service 2006).

This event helps to achieve these stated purposes. In particular, it facilitates communication with the public, is an example of outreach, and is a special event that showcases the Refuge System's role in conservation. It accomplishes all this, while educating a spectrum of the public that might not normally visit the Refuge about the benefits of the USFWS. Consequently, this use fulfills compatible uses outlined in the National Wildlife Refuge System Improvement Act of 1997 (U.S. Congress 1997). In particular, it achieves the objectives outlined in Sections 2.2 and 2.6 by facilitating an appreciation of wildlife conservation and promoting environmental education.

Additionally, it enhances partnerships with other conservation oriented agencies and members of the public who already are or who could become partners in conservation. Consequently, the proposed use fulfills USFWS objects as outline in Executive Order 12996 (1996) and National Policy Issuance #96-09 (U.S. Fish and Wildlife Service 1996). Section 3 of the National Policy Issuance #96-09 reads:

Partnerships: America's sportsmen and women were the first partners who insisted on protecting valuable habitat within wildlife refuges. Conservation partnerships with other Federal agencies, State agencies, Tribes, organization s, industry, and the general public can make significant contributions to the growth and management of the Refuge System (U.S. Fish and Wildlife Service 1996).

This proposed use fulfills this objective of conservation partnerships by building relationships with future (children) and current (volunteers) partners in conservation.

Moreover, the Wetland Interpretation and Education Program helps staff achieve Objectives: 3-4 (Wildlife Observation and Photography); 3-5 (Interpretation); 3-6 (Environmental/Conservation Education); 3-8 (Friends and Volunteers); and 3-9 (Community Relations) of the approved Swan Lake NWR CCP (U.S. Fish and Wildlife Service 2011:44-45). Regarding Objective 3-4, wildlife observation is promoted through the use by allowing students the opportunity to observe a number of different wildlife. Regarding Objective 3-5, wildlife interpretation is facilitated by the amphitheater and hands-on portions of the program. Regarding Objective 3-6, visitors receive environmental and conservation education through interpretation. Specific emphasis is being placed on conservation education by illustrating to visitors the manner in which Refuge management facilitates the development of wetlands on the Refuge. Regarding Objective 3-8, a volunteer opportunity is created for Fisheries and Wildlife students who may want to lead a program. Regarding Objective 3-9, community relations are facilitated by offering students the opportunity to interact with Refuge staff and experience the Refuge in a way they would otherwise be unable to. This offers another opportunity to build connections with the community, increasing their stake and investment in the Refuge and USFWS more generally. In sum then, this use is being proposed because it meets multiple USFWS and Swan Lake NWR objectives.

#### **Availability of Resources:**

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

Refuge staff is needed to plan, coordinate, approve, and run aspects of this proposed use. Regarding equipment, an amphitheater is needed for the presentation program, picnic tables and waste disposal bins are needed for lunch time, and transportation provided by the school for transporting children is needed to take the children to a wetland unit.

##### **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 Compatibility Determination require Refuge staff or a qualified Refuge volunteer to lead the educational and interpretive wetland program. If none are available, these activities will not be carried out. The Refuge owns all the equipment necessary for this use, with the exception of the transportation provided by the school. Additionally, the Refuge Visitor Center, grounds around the Visitor Center, and amphitheater are adequate for this use. The Refuge has an adequate number of picnic tables and trash cans to accommodate this use. A cap has been set on the number of students allowed to attend to ensure we have the resources capable of administering this use properly and safely. Current Refuge staff and volunteers are capable of adequately setting up, cleaning up, and coordinating the activities during this use. School transportation is the responsibility of the organizing teacher to coordinate. We do let them know we will need a bus during the wetland tour.

**Accessibility:** The Refuge Visitor Center, amphitheater, and restrooms meet accessibility standards requirements. There is accessible parking located in the Refuge Visitor Center parking lot. Communication between the Refuge staff person and teacher that registers is done to ensure the compatibility of any students needing accessibility. In these cases, based upon experience of past school field trips, the school brings an accessible van to

accommodate the student. We would allow that van to come along with the bus, and the places we access would allow for a wheel chair or other accessible needs to be met. The only issue may be allowing the student near the water's edge to collect samples. We could still make sure that other students or teachers give any students that cannot access the water edge samples to observe. Within our capabilities, we will do everything necessary to ensure everything is 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. Because special steps will be taken by the Refuge Manager to ensure areas crucial for migratory birds are not disturbed with this use, this use does not adversely affect the ability of the Refuge to fulfill this purpose. This activity fulfills two priority public uses designated by the National Wildlife Refuge System. Consequently, it supports the goals of the NWRS. Moreover, the use also offers the potential to build broader constituencies of users who are informed about the management practices of Swan Lake NWR in particular, and the NWRS more generally. Consequently, community members are encouraged to become active stakeholders that are supportive of the USFWS in the immediate and long-terms by encouraging them to recognize the active role the Service is playing in promoting wildlife near their homes. All together then, the use supports the goals of the USFWS in the short and long-term.

#### **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) include a summary of effects on wildlife from disturbance by various forms of recreation. The author documents that disturbances can alter behavior (e.g. foraging time), population structure, and distribution patterns of wildlife. It is highly unlikely that the *Wetland Education Tours* would cause some or all of these effects in any significant manner at Swan Lake NWR. A number of measures have been undertaken to mitigate these effects, and they are not expected to occur at levels that would interfere with the purposes of the Refuge. The area that will be primarily affected is the area surrounding the Refuge Visitor Center. This area has already been identified as suitable for educational activities (U.S. Fish and Wildlife Service 2011: 44). Areas adjacent to access roads and the interior roads of the Refuge would be affected by the increased traffic linked to the *Wetland Education Tours*. Importantly though, all of these roads will already be open to the public when this use occurs. Consequently, additional impact on waterbirds would be minimal. Finally, the Refuge Manager will pick a wetland unit that is suitable for the hands-on portion of the program. Specifically, the Manager will ensure that a unit is selected that is not being

heavily utilized by early migrants such as teal. These areas are already open to foot traffic and nearby auto tour traffic from Refuge visitors.

#### Habitat

Activities from this use would cause little or no habitat disturbance, since they will either take place in areas already open to public use that provide little habitat benefits to Refuge wildlife or that have been selected by the Refuge Manager to ensure minimal habitat disturbance in sensitive areas.

#### Biological Integrity, Diversity, and Environmental Health

Activities from this program are not expected to adversely impact the biological integrity, diversity, and environmental health of the Refuge. This event occurs only intermittently. Further, the first portion of the program takes place in an area that is highly developed and not heavily utilized by wildlife. The second portion of the program takes place in a location deemed appropriate by the Refuge Manager, who will pay special attention to not disturbing crucial migratory habitat. An Intra-Service Section 7 Biological Evaluation for listed Endangered Species present on the Refuge has been conducted for the sites 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 has been set up for these types of programs. Regarding the safety of students, the utmost care is taken to ensure their safety while on the Refuge.

Because this use occurs in September it does not conflict with the goose or deer hunting programs at Swan Lake NWR. The Refuge Manager will take steps to ensure this use does not conflict with other uses that occur at Swan Lake NWR.

This use will be evaluated each time after it occurs 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.

**Justification:**

In lieu of the considerations above, and with the stipulations previously described, the *Wetland Education Tours* will not materially interfere with or detract from the NWRS mission or purposes of Swan Lake NWR. Environmental education and interpretation and wildlife viewing are priority public uses of the Refuge System that the Wetland Program fulfills. Further, the Program helps achieve five of the Refuge objectives detailed in the approved CCP for Swan Lake (U.S. Fish and Wildlife Service 2011). Consequently, providing this activity contributes to achieving USFWS goals and Swan Lake NWR objectives. Well-designed environmental education and interpretation programs can be effective resource management tools that provide an opportunity to encourage positive visitor attitudes of natural resource management, refuges, the Refuge System, and the Service. Consequently, the short and long-term objectives of Swan Lake NWR and USFWS are supported by this use.

**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)).
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- 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))
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- 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.