

## COMPATIBILITY DETERMINATION

**Use:** Winter Silent Sports (ice skating, snowshoeing, cross country skiing and back country skiing)

**Refuge Name:** Upper Mississippi River National Wildlife and Fish Refuge (Refuge).

**Establishing and Acquisition Authorities:** The Upper Mississippi River National Wildlife and Fish Refuge was established by Public Law No. 268, 68<sup>th</sup> Congress on June 7, 1924. This act authorized acquisition of lands for Refuge purposes. Additional lands acquired in fee title by the U.S. Army Corps of Engineers are managed as part of the Refuge under a 1963 Cooperative Agreement between the Department of the Army and the Department of the Interior.

**Refuge Purpose(s):** The Refuge shall be established and maintained (a) as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and (b) to such extent as the Secretary of the Interior by regulations, prescribe, as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (c) to such extent as the Secretary of the Interior may, by regulations, prescribe a refuge and breeding place for fish and other aquatic animal life.

**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.

Goals of the National Wildlife Refuge System:

- a. To fulfill our statutory duty to achieve refuge purpose(s) and further the System mission.
- b. Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered.
- c. Perpetuate migratory bird, interjurisdictional fish, and marine mammal populations.
- d. Conserve a diversity of fish, wildlife, and plants.
- e. Conserve and restore, where appropriate, representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems.
- f. To foster understanding and instill appreciation of fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

### Description of Use:

*What is the use?* Ice skaters, snowshoe users and skiers access the Refuge during the winter months for general recreation, sightseeing and/or wildlife observation (including wildlife tracks

and tracking). This compatibility determination does not include pond hockey tournaments, or similar. See the group event compatibility determination.

*Where is the use conducted?* Ice skaters need snow free ice and take advantage of these conditions to access areas of the refuge not easily accessible outside of the winter season, such as frozen sloughs and backwaters. Snowshoe users and skiers, with sufficient snow fall can access almost any area of the Refuge. There are no designated trails on the refuge for either use. However, snowshoe users and skiers may use existing canoe trails and hiking trails which total well over 200 miles in length when combined.

*When is the use conducted?* These silent winter activities occur when the river is frozen and/or the ground is snow covered, typically December through early March.

*How is the use conducted?* Ice skaters may clear an area near boat ramps or shoreline homes to ice skate and/or play hockey or skate the frozen river to sightsee and observe wildlife. Snowshoe users and cross country skiers need snow on the ground in order to travel trails or back country ski and will also use similar areas as ice skaters once the ice becomes snow covered.

*Why is the use being proposed?* While ice skating, snowshoeing and skiing are not priority wildlife-dependent recreational uses of Refuge System lands, these activities support the general recreation purpose for which the refuge was established as a means of sightseeing and wildlife observation (including wildlife tracks and tracking).

**Availability of Resources:** Access trails, parking lots, boat landings, signs, and other facilities are in place to support this use. Staff is also available to maintain these facilities, enforce Refuge regulations, and provide information to the public. These activities do not require any expenditure of refuge funds. Administering this use can thus be done with existing resources for on-going operations, maintenance and public information. These activities should not result in short- or long-term impacts that adversely affect the purposes of the refuge or the mission of the National Wildlife Refuge System.

**Anticipated Impacts of the Use:** The impacts of these uses are expected to be minimal due to the low number of users and the seasonality of the uses.

The number of people that participate in these activities is not known, but expected to be a small proportion of the refuge visits. During a 2012 Visitor Survey of the La Crosse District of the Refuge, 33 percent of the visitors reported using the Refuge year round. Ice skating, snowshoeing and/or cross-country skiing were not listed as reasons for visiting the La Crosse District and may have been part of the 2 percent that reported "other" as their reason for visiting. These percentages are likely similar for the other Districts of the Refuge.

Ice skating, snowshoeing and skiing have little to no resource impact given the season of use. Disturbance to wildlife may occur from people engaged in these activities, but the disturbance will be local, short-term, and should not affect overall feeding, resting, and reproduction activities of wildlife. Wildlife is expected to move to adjacent habitat during the activity, and

return shortly thereafter. Thus, this activity should not result in long-term impacts that adversely affect fish, wildlife, and plant resources of the Refuge.

**Public Review and Comment:** A draft of this compatibility determination was released on August 5, 2016, for a 30-day comment period. Public notification of the availability of this compatibility determination included media announcements and posting on the Refuge's website. One commenter noted that viewing of wildlife tracks and or tracking was an aspect of winter silent sports not mentioned in the draft compatibility determination. That commenter also noted that the season when winter silent sports are conducted is typically December through March. A statement about observing wildlife tracks and tracking was added to the final compatibility determination and the season of use was changed to December through mid-March.

**Determination:**

Use is Not Compatible

Use is Compatible with Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

1. Group events, i.e., pond hockey tournaments are not covered under this Compatibility Determination and must meet the stipulations of the Group Event compatibility determination.
2. Continue to enforce general public use regulations which protect habitat and limit disturbance to other Refuge visitors.
3. The Refuge Manager may close or restrict use to minimize or eliminate chronic public safety problems or safeguard wildlife or habitat values.
4. Actively promote the Leave no Trace program and provide information to users.

**Justification:** These uses should have limited and localized negative impacts when conducted with the stipulations above. Administration of these uses will require minor amounts of administrative time and funding. Closing or severely restricting a large portion of the Refuge to these activities would be nearly impossible given the mix of navigable waters, various jurisdictions and authorities, enforcement practicalities, and social considerations.

With stipulations in place, ice skating, snowshoeing and skiing, given the location and season of use and the physical nature and size of the Refuge, does not materially interfere with or detract from the conservation purposes of the Refuge.

Refuge Manager: Sabra Chandler 1/3/17  
Signature Date

Regional Chief Concurrence: Clayton W. Blum 1-26-17  
Regional Chief Date

Mandatory 10 or 15 year Re-evaluation Date: 2027