

Draft Compatibility Determination

Title

Draft Compatibility Determination for Bicycling, Little Pend Oreille National Wildlife Refuge.

Refuge Use Category

Outdoor Recreation (General)

Refuge Use Type(s)

Bicycling (including e-bikes)

Refuge

Little Pend Oreille National Wildlife Refuge

Refuge Purpose(s) and Establishing and Acquisition Authority(ies)

"... as a Refuge and breeding ground for migratory birds and other wildlife..."
(Executive Order 8401, dated May 2, 1939)

" ... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." (16 U.S.C. 715d [Migratory Bird Conservation Act])

"... suitable for (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ..." (16 U.S.C. 460k-1) ... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ... 16 U.S.C. 460k-2 (Refuge Recreation Act (16 U.S.C. 460k-460k-4), as amended).

"... for the development, advancement, management, conservation, and protection of fish and wildlife resources ..." (16 U.S.C. 742f(a)(4) ... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ... 16 U.S.C. 99 742f(b)(1) (Fish and Wildlife Act of 1956).]

. . for conservation purposes. Consolidated Farm and Rural Development Act (7 U.S.C. 2002).

National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System (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 (Pub. L. 105-57; 111 Stat. 1252).

Description of Use

Is this an existing use?

Yes. This Compatibility Determination (CD) reviews and replaces the 2000 CD for the use on Little Pend Oreille National Wildlife Refuge with a minor change. In the 2000 CD, bicycling was evaluated with running/jogging. Running/Jogging is now being re-evaluated along with cross-country skiing and snowshoeing. The 2000 CD did not limit group size. We are now proposing a group size of no more than 25 bicyclists without the issuance of a Special Use Permit (SUP).

What is the use?

We propose to allow bicycling on public roadways and trails within Little Pend Oreille National Wildlife Refuge.

Is the use a priority public use?

No

Where would the use be conducted?

On the main unit of Little Pend Oreille NWR, bicycling is allowed on roads both open and closed to motorized vehicles, and on designated trails, as posted. On the Kaniksu unit, bicycling is allowed on maintained roads including those closed to motorized vehicle access.

Entry on to all or portions of the Refuge may be temporarily suspended and posted closed due to unusual or critical conditions affecting public safety or any of the resources managed by the Refuge.

When would the use be conducted?

Bicycling can occur throughout the year, sunrise to sunset, on Refuge roads open to public access and designated trails. Most of the bicycling use occurs during the spring, summer, and fall seasons.

How would the use be conducted?

Bicycling on the Refuge will be conducted in accordance with the stipulations necessary to ensure compatibility.

Organized groups, competitive events, and/or group training for any type of use may be considered for a Special Use Permit (SUP) by the Refuge Manager on a case-by-case basis.

Each request for a SUP (if warranted) will be evaluated for impacts to wildlife, habitats, Refuge resources, priority public uses, and as appropriate, wilderness character. Conditions may be added to the SUP on a case-by-case basis to minimize the anticipated impacts to resources from bicycling, and to ensure that any impacts which cannot be avoided, minimized, or mitigated remain temporary and negligible. Some requests may require further analysis of the impacts of the proposed activity on special status species or cultural resources, which may require additional compliance with the National Environmental Policy Act (NEPA), and consultation under any other relevant laws.

If the use conflicts with Refuge resources, Refuge management programs, or priority wildlife-dependent uses, the participant(s) must identify in advance the methods/strategies required to minimize or eliminate the potential impact(s) and conflict(s). If unacceptable impacts cannot be avoided, then a SUP would not be issued.

Why is this use being proposed or reevaluated?

This use is being reevaluated in accordance with Service policy, 603 FW 2.11H(2).

Availability of Resources

The present Refuge non-priority public use program is designed to be administered with minimal Refuge resources (less than \$1,000 annually) at current levels of use (approximately 200 visits annually for all non-priority uses combined) and can be managed with existing staff resources. Maintenance of Refuge roads and other trails incur costs, but costs are not directly related to bicycling since facilities are shared with other priority public uses. No improvements are needed or planned.

Anticipated Impacts of the Use

This CD includes written analyses of the environmental consequences on a resource when the impacts on that resource could be more than negligible and therefore considered an “affected resource.” Based on best professional judgement and nearly 25 years of managing this use at the Refuge, air quality, water quality, flood plains, cultural resources, and socioeconomics will not be more than negligibly impacted by the action and have been dismissed from further analyses.

Potential impacts of a proposed use on the Refuge's purpose(s) and the Refuge System mission

Bicycling is not a priority public use on Service lands per the Refuge System Improvement Act of 1997, and is generally conducted for sport and recreation. However, bicycling can provide access to compatible wildlife-dependent recreational opportunities whereby visitors can enjoy the Refuge's resources and gain or increase their understanding of and appreciation for fish, wildlife, wildlands ecology, the

relationships of plant and animal populations within the ecosystem, and wildlife management. This use will provide opportunities for visitors to directly observe and learn about wildlife and habitats at their own pace in an unstructured environment. This use will enhance the public's understanding of natural resource management programs and ecological concepts to enable them to better understand the problems facing natural resources and to realize what impact the public has on wildlife resources. Additionally, the public can learn about the Service's role in conservation and better understand the biological facts upon which Service management programs are based, consequently fostering an appreciation for the importance of wildlife and habitats.

Participation in this use is expected to contribute to a more informed public, with an enhanced stewardship ethic and greater support for wildlife conservation. Furthermore, this use will provide an intrinsic, safe, outdoor recreational opportunity in a scenic setting, with the realization that those who come strictly for recreational enjoyment will be enticed to participate in the more enhanced facets of the visitor use program and can then become informed supporters for wildlife conservation. By allowing this use, we will provide opportunities and facilitate programs in a manner and at locations on the Refuge that offer high quality, wildlife-dependent recreation while maintaining the current levels or increased levels of natural resource values.

Therefore, use of Little Pend Oreille National Wildlife Refuge for bicycling is expected to benefit and promulgate the Refuge's purposes and the Refuge System's mission.

Short-term impacts

All trail users, including bicyclists, can cause structural damage to plants and increase soil compaction and erosion. These effects are unlikely to occur on the well-defined, graveled roads on the Refuge. Although bicyclists would be required to remain on public roadways and established trails, some users may leave the road. Plants may be trampled in the process and wildlife and soil disturbed. Dense vegetation, uneven terrain, the presence of biting insects, and Refuge law enforcement has discouraged unauthorized off-road and trail use of bicycles on the Refuge. The well-maintained Auto Tour Route provides a preferred surface for recreational bicyclists, particularly when off-trail areas are wet or muddy. No damage to soils or plants has been documented as a result of off-trail use. This activity will be monitored and would be modified or discontinued if unacceptable resource impacts are documented.

Bicycling can cause wildlife disturbance. The severity of disturbance varies with the wildlife species involved and the type, level, frequency, duration, and the time of year the activity occurs. The vast number of roads on Little Pend Oreille NWR provide a good opportunity for visitors to observe wildlife at a distance resulting in negligible behavioral effects on wildlife and habitat from human disturbance. Since wild animals show greater flight response to humans moving unpredictably than to humans following a distinct path (Gabrielsen and Smith 1995), the effects of human disturbance can be reduced by restricting bicycling and other human activity to an

established trail and having disturbance free nesting and foraging areas for wildlife (Korschgen and Dahlgren 1992, Fox and Madsen 1997). Restricting bicyclists to well-defined paths such as public roadways and established trails would reduce the potential impact of bicycling. Limiting group size would also decrease disturbance from this use since group size has been found to increase wildlife response to disturbance (Geist et al. 2005, Yosef 2000).

Overall, the short-term impacts from this use are expected to be minor, due to the relatively low level of use, the relatively large size of the Refuge, and stipulations imposed on the use. This use generally has negligible animal mortality or disturbance, or habitat destruction; no introduction of contaminants; and no introduction of non-native species.

Long-term impacts

The structural damage to plants, and soil compaction and erosion caused by bicycling have the potential to cause cumulative long-term effects to Refuge resources. However, long-term effects to vegetation and soils would be minor, given the low level of the use; and the fact that bicycling is confined to roads and trails.

The long-term effects of wildlife disturbance from bicycling are more difficult to assess but may include altered behavior, decreased vigor or productivity, or death of individuals; altered population abundance, distribution, or demographics; and altered community species composition and interactions. Disturbances can compound seasonal stressors in wildlife. Examples include regularly flushing birds during nesting, exposing juvenile animals to greater predation levels, causing mammals to flee during winter months, or causing large amounts of stored fat reserves to be consumed. Over time, these disturbances could lead to long-term changes in wildlife use patterns through either avoidance or habituation. When combined with other visitor activities in the public use, there is potential for bicycling to lower individual fitness or reproductive success, thereby affecting wildlife populations in a localized area.

However, while impacts of the use can be serious for individual plants and animals and perhaps localized rare populations, they are generally of little significance to populations or species, landscape integrity, or regional biological diversity. Moreover, unless a localized, rare population is impacted by a single impacted site, the intensity, size, and distribution of impacts are not relevant to the significance of impacts assessed at large spatial scales (Cole 1989). The effects on wildlife from disturbance, displacement, and habituation have been well documented and studied in other areas (e.g., Cole, 2004; Cole & Knight, 1990) and impacts are generally short-term and minor. Due to the size of the Refuge and the low numbers of users participating in this activities, long-term effects on wildlife populations or distribution are therefore expected to be minimal.

Mitigation of Potential Impacts:

To prevent or minimize these potential long-term impacts, Refuge staff would work to ensure that visitors follow stipulations through law enforcement, Refuge and volunteer presence, and various forms of outreach. Refuge staff and law enforcement would regularly assess roads, trails, and support facilities for safety and quality of visitor experience, wildlife disturbance, cultural resources, and impacts to soil and vegetation. The Refuge would also monitor these areas for non-native invasive species and implement appropriate control measures. If use levels are resulting in unacceptable impacts to Refuge resources, visitor experience, or public safety, the use may be modified or relocated to prevent additional impacts and restore habitat.

Public Review and Comment

The draft compatibility determination will be available for public review and comment for 14 calendar days to provide comments following the day the notice is published. The public will be made aware of this comment opportunity through our social media outlets and letters to potentially interested parties. A hard copy of this document will be posted at the Refuge Headquarters at 1310 Bear Creek Road, Colville, WA 99114. It will be made available electronically on the Refuge website at https://www.fws.gov/refuge/little_pend_oreille/. Please let us know if you need the documents in an alternative format. Concerns expressed during the public comment period will be addressed in the final Compatibility Determination.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

1. Bicyclists are required to stay on designated public roadways and trails year-round.
2. Groups will be limited to 25 or fewer people, unless a SUP is obtained.
3. Organized groups of more than 25 individuals, competitive events, and/or group training for any of these uses may be considered for a Special Use Permit by the Refuge Manager on a case-by-case basis.
4. The permittee and all associated personnel agree to conduct activities in a safe manner, in compliance with all Refuge regulations and policies, and with precaution to avoid damage to resources, property, or personnel. Refuge staff will not be held responsible for loss of, or damage to, equipment.
5. A copy of the Special Use Permit must be in the permittee or associate's possession at all times while exercising the privileges of the Permit. A copy of

the Permit must be shown to any USFWS employee or Federal law enforcement officer upon request.

6. Failure to abide by any part of the Special Use Permit; violation of any Refuge-related provision or Code of Federal Regulations; or violation of any pertinent state regulation (e.g., fish or game violation) will, with due process, be considered grounds for revocation of the permit and could result in denial of future permit requests for lands administered by the USFWS. This provision applies to all persons working under the authority of the permit.
7. To ensure safety, use is restricted to daylight hours only. Activities requiring off road/trail access or access between sunset and sunrise would require a Special Use Permit or be managed by Refuge staff.
8. Visitors are prohibited from collecting and removing any archaeological or historic artifacts, samples, or mementos from the Refuge. If cultural resources, or archaeological or historic artifacts are encountered, leave the item(s) in place and contact the Refuge Manager or nearest USFWS employee.
9. Posted directional, regulatory and interpretive signs will be maintained to keep visitors on roads and trails, as well as inform the public on minimizing wildlife and habitat disturbance.
10. Regulations will be available at information kiosks on site, through a Refuge brochure, and will be posted on the Refuge website. Regulations are also available by contacting Refuge staff for information.
11. Refuge staff and volunteers will monitor uses to ensure compatibility, refine user estimates, and evaluate compliance. Potential conflicts between user groups will also be evaluated. The Refuge will maintain an active law enforcement presence to ensure visitor compliance with all Refuge rules and regulations.

Justification

Bicycling, as outlined in this compatibility determination, would not conflict with national policy to maintain the biological diversity, integrity, and environmental health of Little Pend Oreille NWR. Based on the stipulations outlined above, it is anticipated that wildlife populations will find sufficient food resources and resting places such that their abundance and use of the Refuge will not be measurably lessened as a result of allowing bicycling on Little Pend Oreille NWR. The relatively limited number of individual wildlife expected to be adversely affected as a result of bicycling will not cause wildlife populations to materially decline, the physiological condition and production of species present will not be impaired, their behavior and normal activity patterns will not be altered dramatically, and their overall welfare will not be negatively impacted. Based on available science and best professional judgement, the Service has determined that bicycling at Little Pend Oreille NWR, in

accordance with the stipulations provided here, would not materially interfere with or detract from the National Wildlife Refuge System mission or the purposes of the Refuge. Rather, appropriate and compatible bicycling would be a use of Little Pend Oreille NWR through which the public can develop an appreciation for wildlife and their habitats, as well as the role of the National Wildlife Refuge System in resource conservation.

Signature of Determination

Refuge Manager Signature and Date

Signature of Concurrence

Assistant Regional Director, NWRS, Pacific Region 1 Signature and Date

Mandatory Reevaluation Date

2034

Literature Cited/References

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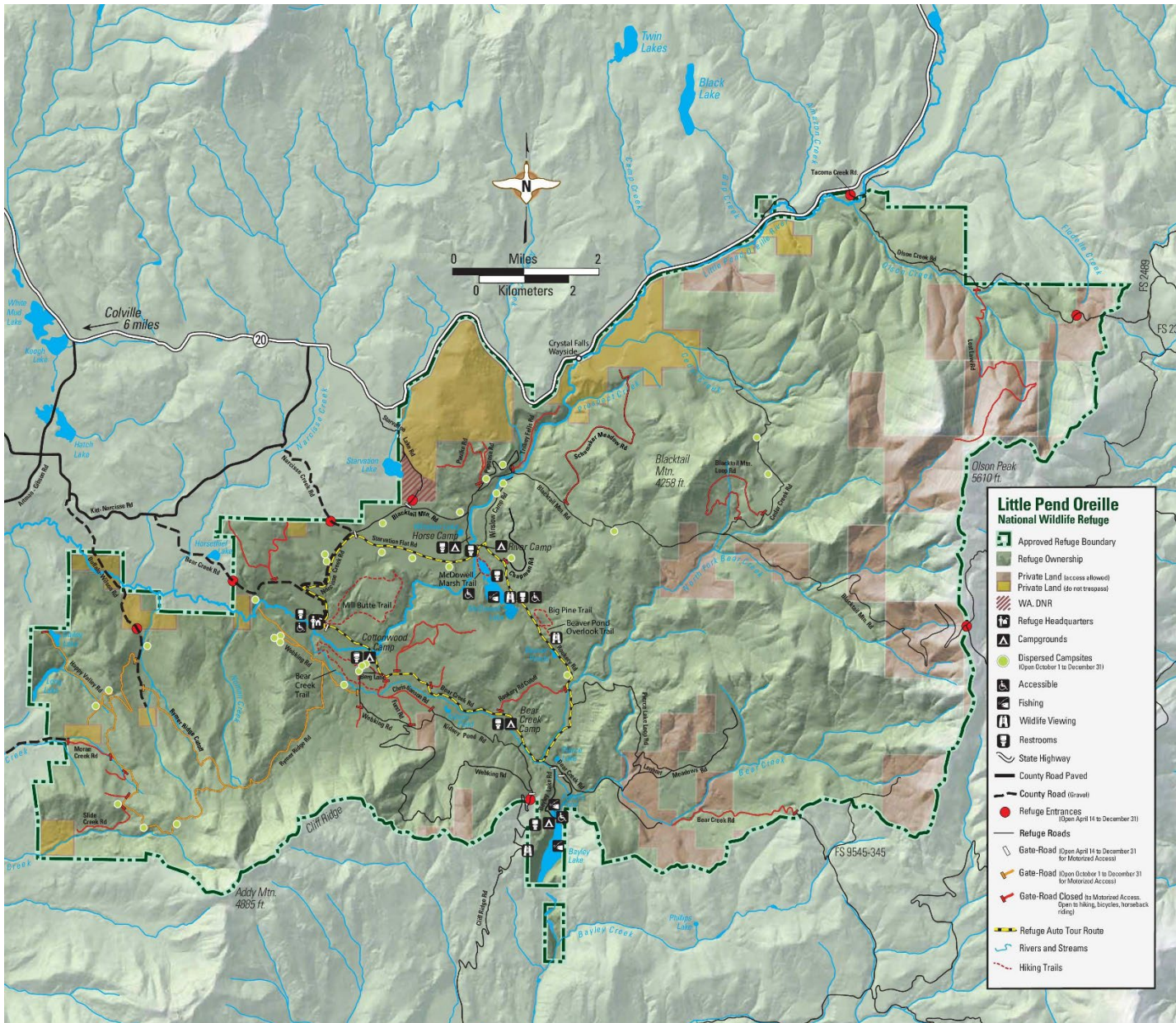


Figure 1. Roads and trails open to bicycling, Little Pend Oreille National Wildlife Refuge