

# Compatibility Determination for Boat Use to Facilitate Public Use at Lacreek National Wildlife Refuge.

## Refuge Use Category

Boating

## Refuge Use Type

Boating (human powered),  
Boating (motorized)

## Refuge

Lacreek National Wildlife Refuge

## Refuge Purposes and Establishing and Acquisition Authorities

National Wildlife Refuge System lands are managed consistent with a number of federal statutes, regulations, policies, and other guidance. The National Wildlife Refuge System Administration Act of 1966, as amended (16 United States Code [U.S.C.] 668dd–668ee) (Administration Act) is the core statute guiding management of the System.

The National Wildlife Refuge System Improvement Act of 1997 (Public Law [P.L.] 105-57) made important amendments to the Administration Act, one of which was the mandate that a comprehensive conservation plan be completed for every unit of the System. Among other things, comprehensive conservation planning has required field stations to assess their current public use program and establish objectives for the future.

“...as a refuge and breeding ground for migratory birds and other wildlife.” (Executive Order No. 7160, dated 1935)

“...for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” (Migratory Bird Conservation Act, February 18, 1929)

“...for any other management purposes, for migratory birds.” (Migratory Bird Conservation Act 16 U.S.C. 715d)

“...for public recreation on...developments adjacent to conservation areas in existence.” (Refuge Recreation Act of 1962 (16 USC 460K-K4))

## National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as 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

Boating to facilitate fishing on the Refuge was most recently evaluated in the Compatibility Determination for Recreational Fishing, signed on August 31, 2021. Boating to facilitate hunting, including the use of electric trolling motors on Pool 10, was most recently evaluated in the "Final Environmental Assessment for Recreational Hunting on Lacreek National Wildlife Refuge, signed on July 30, 2020, Boating for non-wildlife dependent recreational use was evaluated in the Compatibility Determination from the 2006 CCP for Boating, Swimming, Picnicking, and Camping at the Little White River Recreation Area, signed on February 23, 2006. This Compatibility Determination evaluates boating for all priority wildlife-dependent activities (hunting, fishing, wildlife observation, wildlife photography, environmental education and interpretation) on Refuge waters.

What is the use?

Using a manual powered boat to facilitate participation in a variety of priority wildlife-dependent activities, including hunting, fishing, wildlife observation, wildlife photography, environmental education and interpretation. In addition, the use of an electric trolling motor powered boat on Pool 10 to facilitate these uses.

Is the use a priority public use?

No

Where would the use be conducted?

The Refuge is approximately 16,570 acres of native sandhills, sub-irrigated meadows, impounded freshwater marshes, and tall and mixed-grass prairie uplands. All of these acres are open to wildlife observation, wildlife photography, environmental education and interpretation. Approximately 1,200 acres are open to fishing, and over 11,000 acres are open to hunting. This proposal is to allow the use of manual powered boats to facilitate the priority public uses of hunting, fishing, wildlife observation, wildlife photography, environmental education and interpretation, and the use of boats with electric trolling motors on Pool 10 to facilitate these uses. All boats are permitted for non-wildlife dependent use on the Little White River Recreation Area (LWRR).

When would the use be conducted?

Recreational hunting will be in accordance with the seasons and regulations established by the State of South Dakota, Game, Fish and Parks (SD GFP) and Refuge specific regulations in 50 CFR 32. The use of boats to facilitate fishing, wildlife observation, wildlife photography, environmental education and interpretation will be allowed year-round except for potential temporary closures due to trumpeter swan nesting. These temporary closures may occur in the spring and summer, and would depend on nesting site locations.

### How would the use be conducted?

Boating is not a priority public use as listed in the National Wildlife Refuge System Improvement Act of 1997. However, the use of a boat does facilitate the six priority public uses. To maintain minimal disturbance, manual powered boats will be allowed for fishing, wildlife observation, wildlife photography, environmental education, and interpretation.

Upon request from South Dakota Game, Fish, and Parks (SDGFP), boats with electric motors will be allowed for hunting and fishing in Pool 10. Boats with electric motors will be allowed in Pool 10 to facilitate all other priority wildlife-dependent uses as well. Recreational fishing and hunting are permitted in accordance with SD GFP rules and regulations, refuge specific regulations, and those published in Title 50, Code of Federal Regulations. The use of all boats for recreational use is allowed on the LWRRRA.

The installation of new boat ramps is not being planned at this time. Recreational users are welcome to manually move a small boat to the water from any designated road open to vehicles or parking lot. Many parking lots are near the edges of pools and many refuge roads come close to the edges of these pools.

### Why is this use being proposed or reevaluated?

Reevaluation is due per policy 603 FW 2.11 H(2). Except for uses specifically authorized for a period longer than 10 years (such as rights-of-way), we will reevaluate compatibility determinations for all existing uses other than wildlife-dependent recreational uses when conditions under which the use is permitted change significantly, or if there is significant new information regarding the effects of the use, or at least every 10 years, whichever is earlier. A refuge manager may reevaluate the compatibility of a use at any time.

The National Wildlife Refuge Improvement Act identifies six priority wildlife-dependent recreational uses. These uses are hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. As priority public uses on the NWRS, they receive priority consideration over other public uses in planning and management. The use of a boat for access will facilitate these six priority public uses. The primary objectives for this proposed use at Lacreek NWR are:

- Provide a high-quality recreational and educational experience for a diverse audience through a fishing program.
- Provide an opportunity for the youth to engage in wildlife dependent recreation, instill a basic understanding of conservation measures, and the role of the U.S. Fish & Wildlife Service in the conservation picture (i.e., easy access

- for youth fishing, trout stocking in Trout Ponds designed for youth fishing).
- Foster support and knowledge of Refuge goals and objectives by working in close association with the public, and SD GFP through their assistance with fish stockings and management of fish species on the Refuge while providing safe, educational, and instructive opportunities.
- Provide special use permits for physically challenged outdoorsmen/women.

## Availability of Resources

Resources involved in the administration and management of the use includes personnel time associated with administration and law enforcement.

No special equipment or facilities are necessary to support the uses. Maintenance costs are not directly attributable to these incidental uses on the Refuge. Minimal costs are associated with these uses to monitor consequences of the public having access to the Refuge, such as degree of littering and vandalism. The Refuge will also monitor plants and wildlife to determine any impacts resulting from public use.

## Anticipated Impacts of the Use

Potential impacts of a proposed use on the refuge's purposes and the Refuge System mission

The Refuge Improvement Act of 1997 states that the mission of the National Wildlife Refuge System "is to administer a national network of lands for the conservation, management and, where appropriate, restoration of fish, wildlife, and plant resources, and their habitats with the United States for the benefit of present and future generations of Americans.

Conservation management means to sustain and, where appropriate, restore and enhance, healthy populations of fish, wildlife, and plants utilizing, in accordance with applicable Federal and States laws, methods, and procedures associated with modern scientific resource programs. These definitions denote active management and is in keeping with the House report on the Act which states that the "Refuge System should stand as a monument to the science and practice of wildlife management."

The SD GFP will continue to manage the fishery at the Trout Ponds and LWRRA and allow the harvest of fish through recreational fishing. It is anticipated that increased fishing will be minimal even with an expansion of acres and boat access for fishing.

The Refuge is open to other priority public uses such as hunting, wildlife observation, wildlife photography, and environmental education and interpretation. To safely provide opportunities for both hunting and non-hunting recreational uses, the Refuge enforces a series

of Refuge-specific hunting regulations. Hunting is not allowed on certain units or is restricted by location, date, and methods of take.

Temporary closures due to nesting trumpeter swans should not conflict with Refuge management activities or public uses.

### Short-term impacts

The Refuge will continually monitor boating activity to determine if the use is causing unacceptable impacts to wildlife or habitat. If the Refuge deems that boat use is causing such impacts, the use may be temporarily closed in specific areas to mitigate the disturbance. An example would be the potential disturbance to nesting trumpeter swans. Every spring/summer Refuge staff monitor nesting trumpeter swan locations. Trumpeter swans have nested at Lacreek NWR three times in the last 10 years. These nesting sites may be closed to all public entry if deemed necessary by the Refuge manager.

### Long-term impacts

Cumulative year-over-year impacts are unlikely due to the implementation of the Lacreek NWR Water Management Plan. It is very uncommon for a pool to maintain enough water to float a boat over consecutive years. Within a 5-year period, a pool will likely be drained, channeled, and flooded to full capacity with many water level variations within that time frame. No long-term negative impacts are expected.

Boating activities may result in some long-term beneficial impacts to the human environment. By participating in these activities, visitors are likely to be more supportive of the Refuge System's priority uses (wildlife observation, wildlife photography, hunting, fishing, environmental education, and interpretation). These activities may increase the viewers' understanding and appreciation of fish and wildlife, their habitat needs and the role of the Refuge System in conservation.

## Public Review and Comment

Is the use compatible?

Yes

### Stipulations Necessary to Ensure Compatibility

1. Lacreek NWR will manage the six priority public uses (hunting, fishing, wildlife observation, photography, environmental education, and interpretation) with Federal and State regulations, and review it annually to ensure wildlife and habitat goals are achieved and that these programs are providing safe, high-quality experiences for participants.
2. Refuge staff will periodically review the level of use and revise the conditions under which this activity can be continued and, if necessary, eliminate any significant impacts.
3. The Refuge will continually monitor Trumpeter swan nesting locations and implement closures if necessary.
4. Manual powered boats are allowed in all waters of Lacreek NWR.

5. Electric trolling motor powered boats are allowed in Pool 10 and the LWRRRA where all boat types are allowed. Electric trolling motors are not permitted in any other Refuge waters.
6. Boats and other personal belongings may not be left on the Refuge overnight

### Justification

The National Wildlife Refuge Improvement Act identifies six priority wildlife-dependent recreational uses. These uses are hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. As priority public uses on the NWRS, they receive priority consideration over other public uses in planning and management. The use of a boat for access will facilitate these six priority public uses. When the stipulations are followed, using a boat to facilitate the priority public uses will not materially interfere with, or detract from, the mission of the Refuge System or the purpose for which the Refuge was established.

### Literature Cited/References

Comprehensive Conservation Plan, Lacreek National Wildlife Refuge, February 2006 (NEPA Compliance)

Grubb, T. G., Robinson, W. L., and Bowerman, W. W. 2002. Effects of watercraft on bald eagles nesting in Voyageurs National Park, Minnesota. *Wildlife Society Bulletin* 30(1):156-161. Effects of Watercraft on Bald Eagles Nesting in Voyageurs National Park, Minnesota ([jstor.org](http://jstor.org))

Korschgen, C. E., L. S. George, and W. L. Green. 1985. Disturbance of diving ducks by boaters on a migrational staging area. *Wildlife Society Bulletin* 13:290-296. Disturbance of Diving Ducks by Boaters on a Migrational Staging Area ([jstor.org](http://jstor.org))

Korschgen, C. E., and Daulgren, R. B. 1992. Human disturbances of waterfowl: causes, effects, and management. U.S. Fish and Wildlife Service, *Waterfowl Management Handbook* 13.2.15. 13.2.15. Human Disturbances of Waterfowl: Causes, Effects, and Management ([usgs.gov](http://usgs.gov))

Rasmussen, H., and Simpson S. 2010. Disturbance of waterfowl by boaters on Pool 4 of the Upper Mississippi River National Wildlife Refuge. *Society and Natural Resources* 23(4):322-331. <https://www.tandfonline.com/doi/full/10.1080/08941920801963541?scroll=top&needAccess=true>

Stalmaster, M. V. and Kaiser, J. L. 1998. Effects of Recreational Activity on Wintering Bald Eagles. *Wildlife Monographs* 137:3-46. Effects of Recreational Activity on Wintering Bald Eagles ([jstor.org](http://jstor.org))