

U.S. Fish & Wildlife Service

Detroit River International Wildlife Refuge
U.S. Fish & Wildlife Service
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News Release



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COMMENT PERIOD ON COMPATIBILITY DETERMINATION FOR RESEARCH, SCIENTIFIC COLLECTION, AND SURVEYS BY THIRD PARTIES BEGINS TUESDAY, DECEMBER 11TH, 2018

GROSSE ILE, MICHIGAN – A 15-day public comment period on a draft Compatibility Determination for adding research, scientific collecting, and survey activities on the Detroit River International Wildlife Refuge (DRIWR) lands begins on **Tuesday, December 11th, 2018 and runs through Wednesday, December 26th, 2018**. This draft Compatibility Determination is being issued to ensure that research, scientific collecting, and surveys are compatible with the DRIWR's purpose and mission. If any use is determined to be "incompatible", it will not be allowed on Refuge lands. The Compatibility Determination will be available for public review and comment at the DRIWR office located at 9311 Groh Road, Grosse Ile, MI 48138 for the 15-day period and on the International Wildlife Refuge Alliance website: www.iwralliance.org.

The public is invited to provide written comments to:

Detroit River International Wildlife Refuge, Attn: Jessie Fletcher, 9311 Groh Road, Grosse Ile, MI 48138

Or via email at jessica_fletcher@fws.gov by 5 PM on **Wednesday, December 26th 2018**.

For more information about the Detroit River International Wildlife Refuge, please visit the refuge website: www.fws.gov/refuge/Detroit_River.

For additional information, contact Wildlife Biologist, Jessie Fletcher (734-692-7611).

The Detroit River International Wildlife Refuge is proud to not only be the only international refuge in North America, but one of only 14 priority urban refuges in the nation charged with bringing conservation to cities. It covers 48 miles of shoreline along the lower Detroit River and western basin of Lake Erie -- stretching from southwest Detroit to the Ohio-Michigan border. The Refuge focuses on conserving, protecting and restoring habitat for 300 species of birds and 117 species of fish. The U.S. Fish and Wildlife Service currently owns or cooperatively manages 6,202 acres of unique habitats and partners with Michigan Department of Natural Resource on conservation of 7,897 acres of state-owned land. A Canadian registry of lands now includes 3,797 acres of Essex Region Conservation Authority lands and 981 acres of City of Windsor lands. In total, 18,877 acres of land in southeast Michigan and southwest Ontario are now being cooperatively managed for conservation and outdoor recreation for nearly seven million people living in a 45-minute drive.

The mission of the U.S. Fish and Wildlife Service is, working with others, to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people. The Service is both a leader and trusted partner in fish and wildlife conservation. Visit www.fws.gov to learn more.

- END -

COMPATIBILITY DETERMINATION

USE: Research, Scientific Collecting, and Surveys by Third Parties

REFUGE NAME: Detroit River International Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITIES: Public Law 87-119 (Wyandotte National Wildlife Refuge, Public Law 107-91 (Detroit River International Wildlife Refuge Establishment Act), Public Law 108-23 and Public Law 117-704 (Ottawa National Wildlife Refuge Complex Expansion and Detroit River International Wildlife Refuge Expansion Act), Fish and Wildlife Act of 1956 (16 U.S.C. 742f).

REFUGE PURPOSES:

The Detroit River International Wildlife Refuge (hereafter, "the Refuge") was established by an Act of Congress, which became Public Law 107-91 on December 21, 2001. Section 4 of the Act states the following purposes for the Refuge:

- To protect the remaining high-quality fish and wildlife habitats of the Detroit River before they are lost to further development and to restore and enhance degraded wildlife habitats associated with the Detroit River.
- To assist in international efforts to conserve, enhance, and restore the native aquatic and terrestrial community characteristics of the Detroit River (including associated fish, wildlife, and plant species) both in the United States and Canada.
- To facilitate partnerships among the United States Fish and Wildlife Service, Canadian national and provincial authorities, State and local governments, local communities in the United States and in Canada, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Detroit River.

... "to be maintained as a refuge and breeding place for migratory birds and other wildlife..." Public Law 87-119, 75 Stat. 243, 87th Congress, H.R. 1182, dated August 3, 1961.

NATIONAL WILDLIFE REFUGE SYSTEM MISSION: "...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:

What is the use?

Refuge staff receive periodic requests from non-Service entities (e.g. universities, state agencies, independent researchers, other federal agencies, nongovernmental organizations) to conduct research, scientific collecting, and surveys on the Refuge. Service policy defines the following:

- Research: Planned, organized and systematic investigation of a scientific nature.

- Scientific collecting: Gathering of Refuge natural resources or cultural artifacts for scientific purposes.
- Surveys: Scientific inventory or monitoring

These project requests can involve a wide range of natural, cultural, and public-use resource management issues. Natural and cultural resource data, environmental data, bio-prospecting information (discovery of plant and animal species from which medicinal drugs and other commercially valuable compounds can be obtained), taxonomic specimen collection or analyses, and inventories and analyses of paleontological specimens would be considered. Projects may be species-specific, refuge-specific, or evaluate the relative contribution of refuge lands to the larger landscape (e.g. flyways, national, international).

The Service's Research and Management Studies (4 RM 6) and Appropriate Uses (603 FW1.10D (4)) policies designate priority for scientific investigatory studies that contribute to the enhancement, protection, use, preservation and management of native wildlife populations and their habitats. Projects that contribute to Refuge-specific needs for resource and/or management goals and objectives would be given a higher priority over other requests.

Where is the use conducted?

Locations for research, collection, and survey activities would depend on the particular action conducted and could occur in a variety of areas throughout the Refuge. Authorized research activities would generally be allowed in "open" areas of the Refuge through the Special Use Permit (SUP) process. Restricted areas would not be open to research activities unless specifically authorized in a SUP.

When is the use conducted?

The timing of research, collection, and survey activities would depend on the individual project. The Refuge is open for research, collecting, and survey activities throughout the year, day or night, as officially permitted through the issuance of a SUP. The timing, duration, number of staff, and number of visits by permittees may be restricted by SUP at the discretion of the Refuge Manager or designee.

How is the use conducted?

The individual requesting a SUP provides both the Special Use Request and a copy of the full study proposal. Research proposals are typically, but not always, developed by non-Service entities in support of Refuge-specific needs or with Refuge staff input into larger scale proposals that use Refuge lands and waters as a base of study. Service employees from other programs may also request a SUP. Other than staff review time, these research proposals and resultant studies are the responsibility and expense of the sponsoring individual, school, group, or agency.

Projects will adhere to scientifically defensible protocols for data collection, where available and applicable. Research study site(s), collection and sampling location(s), and transect(s) may be temporarily marked by highly visible wooden or metal posts or other pre-approved methods if

requested. Site markers may be detrimental to local organisms and would be approved on a case-by-case basis. All markers must be removed by the permittee when the project is complete. Access to study sites could be by foot, bicycle, car, truck, boat, or canoe/kayak. Vehicle use would be allowed on Refuge roads, trails, and parking lots that are normally open to the public, or other locations as specified in the SUP.

Why is the use being proposed?

The Service recognizes the potential for research, scientific collection, and surveys conducted by non-Service entities to contribute to the enhancement, protection, use, preservation, and management of wildlife populations and their habitats. Studies are likely to expand the body of scientific knowledge of Refuge wildlife populations and their habitats or otherwise provide information beneficial to conservation and management. Additionally, research activities are an integral part of the Refuge's goal of coordination and interaction with national and international partners.

AVAILABILITY OF RESOURCES:

Studies may be quite labor intensive and range from a few weeks to several months or years in duration from data collection and analysis to publishing of results. All of this would be accomplished with little or no direct involvement of Refuge staff, or at most, modest staff time for manuscript review. Refuge staff responsibilities for projects by non-Service entities would be primarily limited to the following: review of proposals, preparation of SUP(s), monitoring of project implementation to ensure compatibility over time, and review of research results.

Additional administrative, logistical, and operational support may also be provided depending on each specific request. Facilities and staff are currently available to provide access by maintaining roads, parking lots, and secondary access roads, as well as to issue SUPs for research, collecting, and survey projects. Based on interest in previous years, staff resources are deemed adequate to manage this use at a level of four research SUPs issued per calendar year. If interest exceeds the predicted four research SUPs per year, we would reevaluate compatibility before permitting begins the following year. We project that administering a research SUP would require four weeks of intermittent staff time. Law enforcement and dissemination of information about research and surveys are not included in these estimates.

ANTICIPATED IMPACTS OF THE USE:

Short and Long-term Impacts:

For a project that could impact Refuge-specific resources, priority wildlife-dependent public uses, other high-priority research, or Refuge habitat and wildlife management programs to become compatible, the individual(s) requesting a SUP must clearly demonstrate that the project's potential scientific findings outweigh the immediate need to conduct resource management and that the project cannot be accomplished off Refuge lands. The investigator(s) must identify strategies to minimize or eliminate potential impact(s) and conflict(s) in advance. If unacceptable impacts cannot be avoided, then the project would be determined incompatible and not granted a SUP.

Potential effects would be project- and site-specific, and may vary depending on the nature and scope of the research, scientific collection, or survey field work. Each project would be evaluated for site-specific effects on species, habitat, and cultural resources as part of the SUP process. As a general rule, compatible projects would have no, to minimal animal mortality or disturbance, minimal habitat damage, no introduction of contaminants, and no introduction of nonnative species. Some projects involving collection of biotic samples (plants or animals) or requiring intensive ground-based data or sample collection may have short-term effects including wildlife disturbance and trampling of vegetation. To reduce negative effects, the number of samples (e.g., water, soils, vegetative litter, plants, macroinvertebrates, and vertebrates) would follow established scientific standards for identification, ex-situ experimentation, or valid statistical analysis. Where possible, the Service would refer researchers to coordinate and share collections or samples with other researchers to reduce sampling needed for multiple projects. Negative effects may also occur from the installation of infrastructure necessary to support a project (e.g., semi-permanent transect or plot markers, exclosure devices, monitoring equipment, solar panels to power unattended monitoring equipment). Some level of disturbance is expected with these projects, especially if investigators enter areas closed to the public and collect samples or handle wildlife. However, wildlife disturbance (including altered behavior) is expected to be localized and temporary in nature.

Long-term positive benefits to Refuge management through subsequent knowledge gained by non-Service researchers is expected. No long-term negative effects are anticipated and may be avoided through additional stipulations on SUPs. Where long-term or unacceptable cumulative effects cannot be avoided, the project would be found incompatible.

Indirect and Cumulative Impacts:

Cumulative impacts may occur as the result of a variety of factors or as additive effects from concurrent uses. Examples include multiple research projects using the same resources concurrently, long-term research conducted, and additive impacts from research and public use on the same resource. No cumulative impacts within the next 10-15 years are expected and the Refuge Manager can minimize the potential for cumulative impacts through SUPs. Managers retain the option to prohibit research on the Refuge which does not contribute to or materially interferes with the purposes of the Refuge or the mission of the Refuge System.

Although a single research or exploration project within a single year may cause few, if any, negative resource impacts, it may in fact cause cumulative impacts over multiple years or when considered additively with all research and exploration projects to occur within the Refuge units. Therefore, it is critical for Refuge managers to examine all projects with a multi-year timeframe in mind and consider research that is planned concurrently in the Refuge before approval is granted. It may be appropriate to set a limit to the number of research or exploration projects occurring in a particular habitat or relative to a single species or species group.

DETERMINATION:

- Use is not compatible
- Use is compatible with the following stipulations

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

1. It is recommended that the researcher contact the Refuge Manager or other Refuge staff to discuss their proposed monitoring or research activity before they submit a SUP application. Prior to conducting investigations, researchers would obtain a SUP from the Refuge Manager that makes specific stipulations related to when, where, and how the research would be conducted. The Refuge Manager retains the option to prohibit research that does not contribute to or materially interferes with the purposes of the Refuge or the mission of the refuge system.
2. Research applicants must submit a study plan to the Refuge Manager that includes:
 - a. Justification and objectives of the study;
 - b. Relevance to resource management;
 - c. Methods, schedule, sample size needed to accomplish the work, statistical analyses planned, and personnel;
 - d. Potential impacts on Refuge wildlife and/or habitat;
 - e. Provisions to minimize disturbance, injury, or mortality, and prevent the introduction of invasive or pest species;
 - f. Compliance with established standards for proper animal care and use;
 - g. Data standards and data management plan;
 - h. Costs to the Refuge, if any;
 - i. Anticipated end products and timeline for reporting (i.e., reports, publications, recommendations); and
 - j. Disposition of data, maps, etc.
3. Research plans would be reviewed by Refuge staff. The Refuge Manager may also require internal and/or external scientific review, depending on the complexity and sensitivity of the work being proposed and other factors. Reviews may be expedited by providing copies of existing peer reviews, or by providing names, mailing addresses, and email addresses of persons that the researcher wishes to recommend to review their proposal.
4. Evaluation criteria would include, but not be limited to, the following:
 - a. Research that has direct relevance to Refuge management would have higher priority than other requests;
 - b. Research requests that conflict with higher priority research, monitoring, public use, or management programs may not be granted;

- c. Requests for research that is not conducted using scientifically defensible or established protocols may not be granted;
 - d. Research that causes undue disturbance or is intrusive, would likely not be granted;
 - e. If staffing or logistics make it difficult for Refuge staff to monitor researcher activity in a sensitive area, this may be reason to deny the request;
 - f. The length of the project would be considered and agreed upon before approval. Projects would not be open-ended and at a minimum, would be reviewed annually;
 - g. Evidence of Institutional Animal Care and Use review and approval if appropriate.
5. Researchers must possess all applicable state and federal permits for the capture and possession of protected species, for conducting regulated activities in wetlands, and for other regulated activities (e.g., banding). The SUP guidelines may require the submission of an approval from an Institutional Animal Care and Use Committee (IACUC) and further review by the U.S. Fish and Wildlife Service ACUC. These committees often withhold final approval until the researchers provides proof that all required permits have been obtained. Should this situation occur, ask your IACUC to provide approval conditioned on receipt of the permits. Proposals that fail to demonstrate IACUC review and approval may be considered incompatible and subsequently denied.
 6. Archeological researchers must obtain an Archeological Resource Protection Act permit from the Regional Director prior to obtaining a SUP from the Refuge Manager.
 7. Vehicular access is allowed only on public roads unless otherwise indicated on the SUP. Sampling equipment, investigator(s) clothing, and vehicles (e.g., ATV, boats) must be thoroughly cleaned (free of dirt and plant material) before being allowed on Refuge lands, to prevent the introduction or spread of pests and invasive species.
 8. Researchers, scientific collectors, and surveyors must submit annual progress reports, a final report, and copies of publications resulting from the work to the Refuge Manager. Instructions for how and when to submit an annual report would be provided by Refuge staff. U.S. Fish and Wildlife Service Division of Natural Resources and Conservation Planning would analyze study proposals to determine whether copies of field notes, databases, maps, photos, and/or other materials may also be requested and notify the permittee in writing during the SUP review process. The permittee is responsible for the content of reports and data provided to the U.S. Fish and Wildlife Service
 9. Research projects are valued on our Refuges as they provide important national legacy information that helps inform management today and into the future. We recommend researchers, scientific collectors, and surveyors submit an electronic copy of all raw data and their supporting metadata (including maps and photographs)

collected on Refuge lands to the Refuge Manager. The Service would store the project data and metadata and may make it publicly available after a mutually agreed upon period of time. At a minimum the Refuge Manager requires an annual progress report on the project and permission to use summaries, including tables and/or figures to share with the public. Failure to produce an annual report may result in denial of future SUPs.

10. If unacceptable impacts to natural resources or conflicts arise or are documented by the Refuge staff, the Refuge Manager can suspend, modify conditions of, or terminate an on-going project already permitted by a SUP.
11. Collection guidelines (see NPS website at <https://www.nps.gov/bela/getinvolved/conditions-for-scientific-research.htm>)
12. Each proposal would be reviewed for compliance with National Environmental Policy Act (NEPA) requirements and other laws, regulations, and policies.
13. Use of Unmanned Aircraft Systems (UAS) may be approved by the Refuge Manager in certain circumstance. Any use of UAS must follow applicable U.S. Fish and Wildlife Service regulations and policy.

JUSTIFICATION:

Use of the Refuge to conduct research, scientific collecting, and surveys would generally provide information that would benefit fish, wildlife, plants and their habitats by expanding the scientific information available for resource management decisions. Scientific findings gained through these projects provide important information regarding life-history needs of species and species groups as well as identify or refine management actions to achieve resource management objectives in Refuge management plans (especially Comprehensive Conservation Plans). Reducing uncertainty regarding wildlife and habitat responses to Refuge management actions to achieve desired outcomes reflected in resource management objectives is essential for adaptive management in accordance with 522 DM 1.

Adverse impacts of research that cause localized vegetation trampling or disruption of wetland soils and bottom sediments are often short-term and would be minimized through the stipulations above. Vehicular access is allowed only on roads normally open to the public, thus resulting in no net increase in vehicular impacts. Researchers are allowed to conduct research only in areas indicated on the SUP. Any research equipment that remains in the field for the duration of the project would be clearly marked to avoid potential hazards presented to Refuge staff and other Refuge users unless otherwise outlined in the SUP to protect sensitive species.

It is anticipated that wildlife species which could be disturbed during research activities would find sufficient food resources and resting places so their abundance and habitat use would not be

measurably lessened on the Refuge when permitted under the stipulations described above. Additionally, it is anticipated that project oversight, as needed, would prevent unacceptable or irreversible impacts to fish, wildlife, plants, and their habitats. As a result, these projects may not materially interfere with or detract from fulfilling Refuge purposes, contributing to the Mission of the National Wildlife Refuge System, and maintaining the biological integrity, diversity, and environmental health of Refuge lands.

Signature: **Refuge Manager:**

Concurrence: **Regional Chief:**

Mandatory 10 or 15-year Re-evaluation Date: 2028