

**FISH AND WILDLIFE SERVICE
REFUGE MANAGEMENT**

Refuge Management

Part 605 Wildlife-Dependent Recreation

Chapter 1 General Guidelines for Wildlife-Dependent Recreation

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1.1 What is the purpose of this chapter? The guidance in this chapter, in conjunction with 605 FW 2-7, provides Service policies, strategies, and requirements concerning the management of wildlife-dependent recreation programs within the National Wildlife Refuge System (Refuge System). 605 FW 2-7 focus on personal wildlife-dependent recreation; therefore, we will not address economic uses (5 RM 17, Exhibit 1) in these chapters. We cover allowed specialized uses in 5 RM 17.

1.2 What is the Refuge System's wildlife-dependent recreation policy?

A. The National Wildlife Refuge System Improvement Act of 1997 states that "compatible wildlife-dependent recreation is a legitimate and appropriate general public use of the System." The overarching goal of our wildlife-dependent recreation policy is to enhance wildlife-dependent recreation opportunities and access to quality visitor experiences on refuges while managing refuges to conserve fish, wildlife, plants, and their habitats. New and ongoing recreational uses should help visitors focus on wildlife and other natural resources. These uses should provide an opportunity to make visitors aware of resource issues, management plans, and how the refuge contributes to the Refuge System and Service mission. Thus, we only allow wildlife-dependent recreation on a refuge after we first determine that it is compatible (603 FW 2). In addition, we manage wildlife-dependent recreation in strict accordance with all applicable Federal laws and, to the extent practicable, consistent with applicable State and tribal laws (Code of Federal Regulations (CFR), Title 50 subchapter C).

B. Refuge managers will work with State fish and wildlife agencies to develop and implement quality wildlife-dependent recreation programs on refuges. The policy in this chapter applies to all wildlife-dependent recreation programs that occur in the Refuge System. In some instances, it does not apply to lands acquired as waterfowl production areas. Waterfowl production areas are open to migratory game bird, upland game, and big game hunting and sport fishing subject to the provisions of State laws and regulations (see 50 CFR 32.1 and 32.4). The National Wildlife Refuge System Improvement Act of 1997 (Improvement Act), which amended the National Wildlife Refuge System Administration Act (Administration Act), defines wildlife-dependent recreation as a use of a refuge involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We may allow other activities on refuges, such as camping, to facilitate compatible wildlife-dependent recreation. Refuge managers must comply with the appropriate

refuge uses policy (603 FW 1) and the compatibility policy (603 FW 2). Our general policy is to provide a broad spectrum of visitors with quality wildlife-dependent recreational opportunities. To accomplish this policy, we ensure consistency and professionalism in planning and implementing wildlife-dependent recreation programs in the Refuge System.

C. Prior to opening a refuge to new wildlife-dependent recreational uses, the refuge manager will develop and follow an approved visitor services plan (VSP) and tailor programs to the refuge and its ability to administer the proposed wildlife-dependent recreational uses. While new VSPs are being prepared, we do not close ongoing refuge hunting and fishing programs. In developing an approved plan, the refuge manager should consult legislation or other documents that identify the purpose(s) for which the refuge was established and any mandated uses, approved Regional and California/Nevada Operations Office (CNO) or other large-scale management plans, the refuge's comprehensive conservation plan (CCP), and any applicable step-down management plans. In addition, the refuge manager should review any applicable State fish and wildlife management plans.

D. Refuge managers should also tailor wildlife-dependent recreational opportunities to take into account legal commitments and, to the extent practicable, visitor interest, community traditions and viewpoints, constraints of the location, and refuge resources, while recognizing that wildlife conservation is the first priority of the Refuge System. Refuge managers should consider the visitor demand for an activity and keep an eye out for future changes in that demand.

1.3 Under what authorities do we manage wildlife-dependent recreation in the Refuge System? The following laws and Executive orders (E.O.) govern wildlife-dependent recreation in the Refuge System:

A. Laws

- (1)** Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 410hh-410hh-5, 460mm-460mm-4, 539-539e, and 3101-3233; 43 U.S.C. 1631 et seq.);
- (2)** Alaska Native Claims Settlement Act (43 U.S.C. 1601-1624);
- (3)** Antiquities Act of 1906 (16 U.S.C. 431-433);
- (4)** Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa-470mm);

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(5) Endangered Species Act of 1973 (16 U.S.C. 1531-1544), as amended;

(6) Fish and Wildlife Act of 1956 (16 U.S.C. 742a-754j), as amended;

(7) Fish and Wildlife Conservation Act (16 U.S.C. 2901-2911), as amended;

(8) Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 742l);

(9) Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4601-11), as amended;

(10) Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712), as amended;

(11) Migratory Bird Conservation Act of 1929 (16 U.S.C. 715a-715r);

(12) National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended;

(13) National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 (16 U.S.C. 742f);

(14) Refuge Recreation Act of 1962 (16 U.S.C. 460k-460k-4), as amended;

(15) Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), as amended;

(16) Wilderness Act of 1964 (16 U.S.C. 1131-1136);

(17) National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347), as amended; and

(18) Refuge-specific authorities.

B. Executive Orders

(1) 11593 - Protection and Enhancement of the Cultural Environment;

(2) 11644 - Use of Off-road Vehicles on the Public Lands;

(3) 12996 - Management and General Public Use of the National Wildlife Refuge System;

(4) 13007 - Indian Sacred Sites; and

(5) 12962 - Recreational Fisheries.

1.4 What are our responsibilities for developing wildlife-dependent recreation opportunities?

A. Director. Provides national policy on visitor services programs, including wildlife-dependent recreation, that comply with all applicable laws and authorities.

B. Assistant Director, National Wildlife Refuge System.

(1) Ensures development and completion of national policy on wildlife-dependent recreation programs for the Director's approval;

(2) Ensures distribution of national policy on wildlife-dependent recreation programs to Regional chiefs/CNO Assistant Manager and refuges;

(3) Provides national oversight and consistency when reviewing and managing all proposed and implemented wildlife-dependent recreation programs; and

(4) Approves a visitor services requirements handbook.

C. Regional Director/CNO Manager.

(1) Provides Regional/CNO policy, when necessary, consistent with national wildlife-dependent recreation policy;

(2) When reviewing and approving compatible wildlife-dependent recreation programs, ensures the Regional chief/CNO Assistant Manager follows applicable laws, regulations, and policies;

(3) Determines the extent of authority over recreational uses on easement refuges; and

(4) Reviews and signs documentation for opening packages for new or expanded hunting and fishing programs.

D. Regional Chief/CNO Assistant Manager, National Wildlife Refuge System.

(1) Approves VSPs and any major amendments to them;

(2) Ensures Regional/CNO consistency among wildlife-dependent recreation programs;

(3) When reviewing wildlife-dependent recreation programs, ensures refuge supervisors follow laws, regulations, and policies;

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(4) Ensures that refuge supervisors work with and provide guidance to refuge managers in preparing VSPs; and

(5) Submits signed copies of opening packages to the Refuges Federal Register liaison in Headquarters (see 605 FW 2.9 for more information about opening packages.)

E. Regional/CNO Visitor Services Chief

(1) Interprets national policy and guidance at the Regional/CNO level;

(2) Provides visitor services related guidance and direction to the field;

(3) Participates and advises field stations in planning processes, including CCPs; and

(4) Participates in visitor services requirements reviews at field stations.

F. Refuge Supervisor.

(1) Reviews VSPs and any major amendments to them;

(2) Ensures consistency among wildlife-dependent recreation programs under his/her supervision; and

(3) When starting, managing, and reviewing wildlife-dependent recreation programs, ensures the refuge manager follows applicable laws, regulations, and policies.

G. Refuge Manager.

(1) Requests participation by State fish and wildlife management agencies on VSP development, regulations, and issues;

(2) Determines if wildlife-dependent recreation is compatible with refuge purpose(s);

(3) Prepares the VSP;

(4) Ensures appropriate public involvement in the National Environmental Policy Act (NEPA) process;

(5) Reviews VSP and wildlife-dependent recreation programs annually; and

(6) Approves minor revisions to VSP.

1.5 What do these terms mean?

A. Access. Reasonable availability of and opportunity to participate in quality wildlife-dependent recreation.

B. Mandated Use. Any use identified and/or described in legislation by Congress or in an Executive order. These uses may or may not be wildlife-dependent.

C. Other Recreational Use. A recreational use of the Refuge System that is not one of the six wildlife-dependent recreational uses and which may only be allowed if it is both appropriate and compatible.

D. Public Use. Any use of the Refuge System by the public, including, but not limited to, wildlife-dependent recreation and other appropriate uses.

E. Visitor Services. Any program provided by the Service that is specifically or predominately designed for the participation or benefit of visitors.

F. Visitor Services Plan (VSP). A management plan containing specific strategies formulated to meet the visitor services goals and objectives of the refuge's CCP that integrates wildlife-dependent and other recreational uses on a refuge or group of refuges.

G. Wildlife. The terms "fish," "wildlife," and "fish and wildlife" mean any wild member of the animal kingdom, whether alive or dead, and regardless of whether it was bred, hatched, or born in captivity, including its parts, products, eggs, or offspring.

H. Wildlife-Dependent Recreational Use and Wildlife-Dependent Recreation. The Improvement Act defines this as a use of a refuge involving hunting, fishing, wildlife observation and photography, or environmental education and interpretation. Compatible wildlife-dependent recreational uses are the priority general public uses of the Refuge System.

1.6 How do we develop and evaluate quality wildlife-dependent recreation programs? The Refuge System provides a unique opportunity to ensure that we approach our compatible wildlife-dependent recreation programs from the perspective of the Refuge System mission and goals. We believe wildlife-dependent recreation that comports well with the following criteria will continue to meet the needs and desires of refuge visitors. To ensure continued visitor satisfaction with our wildlife-dependent recreation programs, we incorporate public input using visitor satisfaction surveys or other instruments, including input during the development of a CCP or VSP, that help us define and evaluate wildlife-dependent recreation programs at each refuge. We

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develop our wildlife-dependent recreation programs in consultation with State fish and wildlife agencies and stakeholder input based on the following criteria:

- A.** Promotes safety of participants, other visitors, and facilities;
- B.** Promotes compliance with applicable laws and regulations and responsible behavior;
- C.** Minimizes or eliminates conflict with fish and wildlife population or habitat goals or objectives in an approved plan;
- D.** Minimizes or eliminates conflicts with other compatible wildlife-dependent recreation;
- E.** Minimizes conflicts with neighboring landowners;
- F.** Promotes accessibility and availability to a broad spectrum of the American people;
- G.** Promotes resource stewardship and conservation;
- H.** Promotes public understanding and increases public appreciation of America's natural resources and our role in managing and conserving these resources;
- I.** Provides reliable/reasonable opportunities to experience wildlife;
- J.** Uses facilities that are accessible to people and blend into the natural setting; and
- K.** Uses visitor satisfaction to help define and evaluate programs.

1.7 How do we use wildlife-dependent recreation programs to build public support for our mission?

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. We also encourage refuge managers to look for ways to introduce new sectors of the public to the Refuge System during these

celebrations. By reaching out to new sectors, we lay the foundation to expand support for the Refuge System, understanding of wildlife conservation and management, and participation in compatible wildlife-dependent recreation.

1.8 What are some of the tools we use to help us implement and manage wildlife-dependent recreation programs?

Refuge managers develop, implement, and manage wildlife-dependent recreation programs on refuges by various means. These include, but are not limited to, coordinating with Federal, State, tribal, and local government agencies; fostering successful refuge support and Friends groups; building successful volunteer programs; implementing user fee programs; conducting educational, informational, or coordination meetings; highlighting refuge attributes through exhibits and brochures; participating in local celebrations; hiring staff; training personnel; registering users; and issuing special use permits. We determine overall effectiveness of the programs by evaluating factors such as improved resource protection, the success of refuge support groups, the quality of the visitor's experience, and visitor compliance with refuge-specific rules and regulations. We will successfully administer compatible wildlife-dependent recreation programs through:

A. Planning. Refuge managers evaluate the effects of proposed wildlife-dependent recreation programs on wildlife and habitat resources prior to allowing the use to occur in the Refuge System. Refuge managers follow the requirements of the compatibility policy (603 FW 2), NEPA, the Administration Act, as amended, and seek input from other Federal, State, tribal, and local government agencies as well as other interested individuals and organizations throughout the evaluation and planning process. Refuge managers are responsible for developing a VSP (Exhibit 1).

B. Monitoring.

(1) Refuge managers monitor and evaluate wildlife-dependent recreation programs on a regular basis. Refuge managers and staff, with help and support from Regional/CNO offices and the public, periodically review wildlife-dependent recreation programs to ensure that the refuge is meeting its resource management objectives and that we offer quality experiences. Through successful monitoring, we can evaluate and adaptively manage to meet established standards (see sections 1.13B. and 1.14) and ensure that quality activities continue to be compatible.

(2) Regional/CNO offices lead formal station evaluations. At a minimum, the refuge manager, a

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refuge biologist, and a refuge visitor services specialist participate in the evaluation process. We prefer to conduct these reviews prior to the CCP process so we can use information obtained in the analysis in the development of the CCP. The Regional/CNO evaluations not only focus on the specific goals and objectives for the individual refuge unit, but also examine programs in more detail to ensure that we communicate consistent messages to all visitors throughout the Region/CNO and the Refuge System. Regional/CNO visitor services chiefs ensure that we deliver messages consistent with current laws, regulations, and policies, and they provide guidance if changes are necessary. By conducting these reviews, we improve and update messages, revitalize programs, and address changing priorities, thus providing our visitors with quality experiences. In addition, visitor services professionals are afforded an opportunity to discuss new techniques with their peers.

C. Resolving visitor conflicts. The Improvement Act directs us to facilitate compatible wildlife-dependent recreation. However, increased visitation to refuges may cause conflicts between uses and create unavoidable wildlife disturbance. To ensure uses remain compatible, refuge managers may establish use limits and/or zones for specific activities, disperse or restrict use, or use other means to minimize or eliminate conflict between uses on refuges. We ensure that other recreational uses, if allowed, do not interfere with or diminish the opportunity for, or quality of, compatible wildlife-dependent recreation. We will coordinate proposed use limits and/or zones that may affect refuge hunting or fishing programs with State fish and wildlife agencies (additional considerations addressed by the Alaska National Interest Lands Conservation Act of 1980 (ANILCA) apply to the management of public uses on Alaska refuges). Through the use of zones or the establishment of acceptable limits, we can generally provide a balanced visitor program and avoid favoring one wildlife-dependent recreational use over another when both are compatible. We recognize, however, that some refuges cannot support wildlife-dependent recreation or can support only limited wildlife-dependent recreation and that we cannot accommodate every wildlife-dependent recreational use on every refuge. The refuge manager determines which uses to allow when conflicts exist between compatible wildlife-dependent recreational uses. The CCP, or the VSP, addresses user conflicts using our criteria for quality programs (section 1.6) and stakeholder input.

D. Nonemergency and emergency closure and protection of sensitive areas and sacred sites. The refuge manager, in consultation with State fish and wildlife agencies, may close all or any part of a refuge

that we have opened to wildlife-dependent recreation whenever necessary to conserve or protect the biological or cultural resources of the area or in the event of an emergency endangering human life or safety, property, or any population of fish, wildlife, plant resources, and their habitats (50 CFR 25.21).

(1) Nonemergency closure. During nonemergency closures affecting hunting or fishing programs, we will work with State fish and wildlife agencies and notify stakeholders. We will evaluate the impacts of the decisions using the NEPA process and give appropriate notification to the public. In Alaska, temporary closures or restrictions relating to the taking of fish and wildlife will not be effective prior to public notice and a hearing in the vicinity of the area(s) affected by such closures or restriction and may not exceed 12 months (50 CFR 36.42).

(2) Emergency closure. We do not require advance consultation with State fish and wildlife agencies or public notice for closure under emergency conditions. We will notify visitors of such closures by signs, special maps, or other appropriate methods (50 CFR 25.31).

(3) Protection of sensitive areas. Refuge managers protect sensitive refuge biological or cultural sites. Closures of these sites may be permanent or seasonal, such as when protecting endangered species nests, breeding areas, or bat caves. Cultural sites, such as Native American middens, may be protected through closure and such other means as nondisclosure of their location. Refuge managers also accommodate the protection of, access to, and ceremonial use of sacred sites by religious practitioners of recognized native American tribes and native Hawaiians in accordance to E.O. 13007. Refuge managers, with help from their Regional/CNO cultural resource staff, must familiarize themselves with E.O. 13007, which clarifies and highlights procedures to execute this policy. Refuge managers ensure the physical integrity of the sites, including maintaining appropriate location confidentiality. They may use formal agreements to outline the responsibilities of all parties involved in implementing the order.

1.9 What are the general guidelines we use to help us administer wildlife-dependent recreation programs in the Refuge System? Compatible hunting, fishing, wildlife observation and wildlife photography, and environmental education and interpretation are the priority general public uses of the Refuge System. Refuge managers should facilitate compatible wildlife-dependent recreation opportunities that provide visitors with quality experiences. The refuge manager analyzes the effects of the wildlife-dependent recreation and

should, unless there is a valid reason not to, provide for those uses determined to be compatible. If we determine that a refuge can support one or more of these uses, compatible wildlife-dependent recreational uses should receive preferential consideration in refuge planning and management before the refuge manager analyzes other appropriate and compatible recreational opportunities. These uses provide opportunities for visitors to become interested in and enjoy quality wildlife/outdoor experiences and potentially learn about, understand, and support resource management programs. Refuge managers should work cooperatively with State fish and wildlife agencies and explore partnerships with other Federal, State, tribal, and local agencies to enhance compatible wildlife-dependent recreation programs. Refuge managers should look for ways to encourage compatible wildlife-dependent recreation. However, if little or no demand exists for a compatible wildlife-dependent recreational use, we do not require refuge managers to provide that use. The following general guidelines apply to wildlife-dependent recreation throughout the Refuge System:

A. Supportive Recreational Uses. We may allow other activities on refuges, such as camping, to facilitate compatible wildlife-dependent recreation. Refuge managers must comply with the chapters on appropriate refuge uses (603 FW 1) and compatibility (603 FW 2).

B. Hours of Use. Although we generally close refuges at night, we may, on occasion, allow activities to occur on a refuge at night if they are appropriate and compatible with refuge purpose(s) and the Refuge System mission. Night fishing is an example of an after-hours use. The refuge manager must consider factors such as the need for increased management and law enforcement capability in assessing the effect of the action on wildlife goals and objectives.

C. Accessibility. When necessary and when compatible with resource management objectives, we may make exceptions to general access restrictions for visitors with disabilities to facilitate their experience. For example, refuge managers may allow hunters with certain disabilities special access to hunt blinds. Refuge managers may require specific physician's documentation before providing a special use permit to a hunter with a disability. Further, we should balance "walk-in" and remote fishing opportunities with easily accessible fishing opportunities. The Service, through this chapter and 605 FW 2-7, fulfills accessibility standards and requirements by adhering to the Architectural Barriers Act of 1968 (42 U.S.C. 4151-4157), the 1984 Uniform Federal Accessibility Standards (24 CFR 40), and the Americans with Disabilities Act of 1990 (42 U.S.C. 126). These acts

specify physical accessibility requirements in all construction and renovation projects funded wholly or in part by the Federal Government. In addition, the Rehabilitation Act of 1973, as amended (29 U.S.C. 791 et. seq.), requires accessibility for all programs receiving Federal funds.

D. Safety. Visitor safety is a key issue in providing quality compatible wildlife-dependent recreation programs. Visitor safety at refuges is a high priority when developing compatible wildlife-dependent recreation programs. Refuge managers provide adequate law enforcement and supply visitors with information about specific hazards, including animal behavior; geographical, topographical, tidal, or flood hazards; inclement weather patterns; road and trail hazards; and other safety concerns. We also use environmental education and interpretive programs to alert visitors to safety issues. Visitors to designated wilderness areas of the Refuge System have an increased responsibility for their own safety.

E. Partners. Partnerships with other Federal and State agencies, tribes, organizations, industry, local communities, and others can produce significant contributions to our wildlife-dependent recreation programs. Refuge managers should contact potential cooperators and demonstrate the advantages associated with being a refuge supporter. Partnerships are developed by sharing expertise, personnel, materials, or money, and include "sharing" wildlife and habitat. Wildlife does not observe property lines or agency boundaries. Sharing photography areas may reduce human pressure from one spot or eliminate uses from sensitive spots by providing them off the refuge. Partnering is an excellent way of fostering a sense of ownership and stewardship of natural resources among a variety of stakeholder groups.

1.10 How do we ensure the quality of our wildlife-dependent recreation programs?

A. Refuge managers should use their available staff and funding resources to ensure the quality of wildlife-dependent recreation programs a refuge may offer to visitors. They should also maximize partnerships, use fee programs, and cooperative efforts. Refuge managers should remember that, in general, the greater the scope and complexity of a use, the greater the need for staff and money. They should offer wildlife-dependent recreation programs consistent with staff and funding resources needed to develop, operate, and implement the program safely and with quality standards. It is appropriate to concentrate resources on fewer, quality opportunities rather than offer many opportunities that lack quality.

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B. The refuge manager may, where appropriate, take reasonable steps to facilitate and increase quality wildlife-dependent uses through partnerships, user fee programs, and/or cooperative efforts, including cost-share agreements, sharing personnel with nearby refuges, etc. Partnerships may help refuge managers more effectively finance and administer wildlife-dependent recreation programs on refuges by providing labor, funds, or other types of support. Where available and appropriate, refuge managers should work with Friends organizations, volunteers, contractors, businesses, local communities, educational institutions, State and tribal governments, other Federal agencies, conservation groups, other organizations, and the public to minimize or reduce the costs of implementing recreation programs. Refuge managers should not enter into agreements that unnecessarily encumber lands and facilities or hinder meeting resource management objectives on the refuge.

1.11 Are there general criteria that we use to decide which uses we allow to facilitate compatible wildlife-dependent recreation? The following general criteria help refuge managers decide what supportive recreational uses to allow, encourage, or develop, and at what level. With adequate consultation, documentation, and cooperation with affected Federal, State, tribal, and local authorities and other groups, refuge managers must eliminate uses that do not meet these criteria.

A. Ensure Appropriateness. When compatible, the six wildlife-dependent recreational uses are appropriate. Refuge managers, in consultation with Regional/CNO offices when necessary, determine if other proposed uses are appropriate in the Refuge System (603 FW 1). Refuge managers must be able to show that the requested use contributes to fulfilling the refuge purpose(s), the Refuge System mission, or goals or objectives described in an approved management plan before investing additional resources for a compatibility determination.

B. Ensure Compatibility. Refuge managers should:

(1) Exercise sound professional judgment when making compatibility determinations on proposed recreational uses (see 603 FW 2). Compatibility determinations are inherently complex and require the refuge manager to consider his/her field experiences and knowledge of a refuge's resources, particularly biological resources, in addition to the collective wisdom of the entire staff. Then the refuge manager makes decisions that are consistent with principles of sound fish and wildlife management and administration, available scientific information, and all applicable laws and authorities.

(2) Consider the extent to which the refuge is able to adequately develop, manage, and maintain the proposed use so as to ensure compatibility.

(3) Under no circumstances (except emergency provisions necessary to protect the health and safety of visitors or any fish or wildlife population) may a refuge manager authorize any use not determined to be compatible.

1.12 When do we address the decision to allow wildlife-dependent recreation on proposed additions to the Refuge System?

A. When lands and waters are under consideration for addition to the Refuge System, the refuge manager, or the Regional chief/CNO Assistant Manager when no refuge manager is assigned, in coordination with State fish and wildlife agencies, will identify existing compatible wildlife-dependent recreation that he/she will allow to continue on an interim basis prior to acquisition, withdrawal, transfer, reclassification, or donation of any such lands. This does not, however, exempt interim openings from all other requirements; the refuge manager must still comply with the Endangered Species Act (ESA), NEPA, and any and all other relevant laws. We outline our process for complying with these laws in our opening package (see 605 FW 2.9 and 605 FW 3.8).

B. When preexisting compatible hunting or fishing is going to continue, the refuge manager must be proactive and initiate the opening package process when the preacquisition planning phase begins instead of waiting either until the acquisition process is complete or the CCP is completed and approved.

1.13 How do we open refuges to wildlife-dependent recreation? The decision to open a refuge to wildlife-dependent recreation depends on the laws and regulations applicable to the specific refuge and a determination by the refuge manager that opening an area to wildlife-dependent recreation is compatible (50 CFR 26.41 and 603 FW 2). The refuge manager's decision must be consistent with the principles of sound wildlife management, applicable wildlife objectives, and otherwise be in the public interest.

A. Specific Conditions. The following conditions apply to wildlife-dependent recreation on certain units of the Refuge System.

(1) Waterfowl Production Areas (WPAs). WPAs are open to migratory bird, upland game, and big game hunting and sport fishing subject to the provisions of State laws (50 CFR 32.1 and 32.4). A VSP or

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rulemaking document is not necessary to open these areas to hunting because they are open to these uses until closed. However, we may restrict WPA wildlife-dependent recreation programs (as well as all other forms of entry) under 50 CFR 25.21(e) if circumstances warrant.

(2) Wetland, grassland, and conservation easements. Unless we purchase or otherwise obtain specific rights with the easement, we have no jurisdiction over wildlife-dependent recreation on wetland easements unless the activity would violate the terms of the easement. We most often acquire these easements as part of the Small Wetland Acquisition Program. The majority of these acquired easements are located in the Prairie Pothole Region of the country. For these easements, the landowner usually retains all rights to control public access, including wildlife-dependent recreation. The refuge manager should become familiar with the specific language of the easement to determine if these wildlife-dependent recreation policies are applicable.

(3) Easement refuges. The rights we acquired with an individual easement determine our control of wildlife-dependent recreation on an easement refuge. The Regional Director/CNO Manager determines the extent of our control over wildlife-dependent recreation on these areas according to the terms of the easement. If we control wildlife-dependent recreation, the refuge manager must follow all procedures required to open a refuge to wildlife-dependent recreation on easement refuges.

(4) Farm Service Agency easements (formerly Farmers Home Administration (FmHA)). The Farm Service Agency inventory property easement programs of 1985, 1990, and 1996 allow the Service to acquire wildlife-dependent recreational use rights with these easements. Not all easement properties will include the transfer of wildlife-dependent recreational use rights. Our control of recreation where we have not acquired those rights would only apply if the activity violates the terms of the easement.

(5) Refuges in Alaska. ANILCA allows the continuation of wildlife-dependent recreation on all refuges in Alaska under applicable Federal and State law as long as it is compatible with the purposes for which the refuge was established (50 CFR 36.31). A VSP or rulemaking document is not necessary to permit wildlife-dependent recreation on these refuges. We may prohibit or restrict wildlife-dependent recreation only in conjunction with notices and hearings under the requirements of 50 CFR 36.42 regarding public participation and closure procedures. Local rural residents may hunt wildlife for

subsistence uses in compliance with applicable Federal and State laws. Under ANILCA, nonwasteful subsistence use of wildlife by rural residents has priority over other consumptive uses permitted on refuges in Alaska. In addition, section 810 of ANILCA requires that the refuge manager evaluate the effect of all uses, including wildlife-dependent recreation, on subsistence uses and needs on Alaska refuges and precludes the use if it significantly restricts subsistence uses.

B. Evaluation Criteria for Deciding Whether to Allow Wildlife-Dependent Recreation Programs. We will use the following criteria and standards to evaluate whether to allow wildlife-dependent recreation programs on units of the Refuge System:

(1) Compatibility. Wildlife-dependent recreation must be compatible with refuge purpose(s) and the Refuge System mission (see 603 FW 2 for information on compatibility determinations).

(2) Biological integrity, diversity, and environmental health. When considering compatible wildlife-dependent recreation, refuge managers will first consider their refuges' contribution to biological integrity, diversity, and environmental health at multiple landscape scales. We formulate refuge goals and objectives for population management by considering species life histories, natural densities, social structures, and population dynamics. We consider population objectives set by national plans, such as the 1986 North American Waterfowl Management Plan, State wildlife conservation management plans, and other programs.

(3) Conflict management. Wildlife-dependent recreation programs should minimize conflicts between user groups. An integrated approach to providing opportunities for compatible wildlife-dependent recreation, such as that used in the development of the VSP, will minimize conflicts between individuals participating in these uses. We will, for example, evaluate time and space, scheduling, and zoning as methods to ensure opportunities for quality experiences among different user groups. In the case of significant conflicts between compatible wildlife-dependent recreational uses, the refuge manager will coordinate with State fish and wildlife agencies and make the final decision on which use(s) to allow and which to prohibit or curtail (see section 1.6C).

C. Consultation and Coordination.

(1) Coordination with States. Both the Service and the State fish and wildlife agencies have authorities and responsibilities for management of fish and wildlife on refuges as described in 43 CFR 24. Consistent with the

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Administration Act, as amended, the Service Director will interact, coordinate, cooperate, and collaborate with the State fish and wildlife agencies in a timely and effective manner on the acquisition and management of refuges. Under both the Administration Act, as amended, and 43 CFR 24, the Director as the Secretary of the Interior's designee will ensure that Refuge System regulations permitting hunting and fishing are, to the extent practicable, consistent with State laws, regulations, and management plans. We charge refuge managers, as the designated representatives of the Director at the local level, with carrying out these directives. We will provide State fish and wildlife agencies timely and meaningful opportunities to participate in the development and implementation of programs conducted under this policy. These opportunities will most commonly occur through State fish and wildlife agency representation on CCP planning teams. However, we will provide other opportunities for the State fish and wildlife agencies to participate in the development and implementation of program changes that we would make outside of the CCP process. Further, we will continue to provide State fish and wildlife agencies opportunities to discuss and, if necessary, elevate decisions within the hierarchy of the Service.

(2) Coordination with tribes. In compliance with Consultation and Coordination With Indian Tribal Governments (E.O. 13175), we will coordinate with tribal governments having adjoining or overlapping jurisdiction during the development of wildlife-dependent recreation programs on refuges, and whenever we plan significant changes to our existing wildlife-dependent recreation programs.

(3) Public involvement. The appropriate level of public involvement must accompany new or significant changes to existing wildlife-dependent recreation programs. Refuge managers must plan efforts well in advance of significant proposed changes. A variety of methods are available for the refuge manager to use to involve and inform the public, including public meetings, workshops, news releases, and mailings to interested groups. We encourage refuge managers to continue to use these and other notification methods.

D. Develop a VSP. The VSP is usually a step-down management plan of the refuge's CCP and is the overarching document for providing visitor services in the Refuge System. This plan is an integrated analysis of all applicable aspects of visitor service programs on a refuge. Generally, a refuge is opened to wildlife-dependent recreation by submitting a VSP covering all proposed uses and any other appropriate documents to the Regional/CNO office. The Regional Director/CNO

Manager reviews and approves the plan, and the Regional/CNO coordinator forwards a copy of these documents to the Refuge System Headquarters office (Headquarters). In order to comply with 50 CFR 26.33, the opening of hunting or fishing on a refuge requires the extra step of highlighting the hunting and fishing chapters and sending the VSP to the Refuges Federal Register liaison in Headquarters. It is acceptable to only have the chapters pertaining to hunting and fishing completed when submitting the VSP to the Refuges Federal Register liaison (605 FW 2.9 and 605 FW 3.8). In such instances, the refuge manger will continue developing the other portions of the VSP as the hunting and fishing regulations are being prepared for publication in the Federal Register.

(1) Elements of the VSP. The development of this plan must follow all appropriate NEPA guidelines, contain the required NEPA documentation and decision document, and, if necessary, contain the ESA section 7 consultation. Additionally, it must include compatibility determinations on any wildlife-dependent recreation programs. If the refuge has not yet completed a CCP, we consider the VSP a stand-alone document until completion of the CCP, and then we reevaluate and incorporate the uses into the CCP. When a refuge develops a VSP, we incorporate existing refuge hunting and fishing plans and any other visitor services plans into the VSP. The VSP must provide documentation of the wildlife-dependent recreation allowed on a refuge, including the relationship of wildlife-dependent recreation to refuge purpose(s), goals, objectives, and the Refuge System mission. Exhibit 1 contains an example of a VSP outline.

(2) Outreach. The refuge manager will submit to the Regional/CNO office a draft news release and an outreach plan on the VSP. These documents must be submitted prior to opening a refuge to wildlife-dependent recreation.

1.14 What are the visitor services standards on refuges? Service employees, volunteers, concessionaires, and other cooperators conform to the following standards when planning, conducting, and evaluating all visitor service activities and facilities at refuges. These standards replace those outlined in the Public Use Minimum Requirements Handbook adopted by the Service in 1984. You will be able to find specific details about these requirements in the Visitor Services Requirements Handbook, which we are currently developing. Through the development of the VSP, we will set goals, determine measurable objectives, identify strategies, and establish evaluation criteria for all visitor services, including, but not limited to, compatible wildlife-dependent recreational uses. Careful planning

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provides visitors opportunities to enjoy and appreciate fish, wildlife, plants, and other resources. As a result, visitors will develop an understanding of and build an appreciation for each individual's role in the conservation of our Nation's fish and wildlife resources. The visitor services standards are:

A. Standard 1. Develop a VSP. Refuge managers will develop a VSP that addresses all compatible wildlife-dependent recreational uses on their refuge. Managers should familiarize themselves with Exhibit 1 and, when it becomes available, the Visitor Services Requirements Handbook.

B. Standard 2. Welcome and orient visitors. We will assure that refuges are welcoming, safe, and accessible. We will provide visitors with clear information so they can easily determine where they can go, what they can do, and how to safely and ethically engage in recreational and educational activities. Facilities will meet the quality criteria defined in section 1.6 of this chapter. We will treat visitors with courtesy and in a professional manner.

C. Standard 3. Provide quality hunting opportunities. Hunting is a wildlife-dependent recreational use and, when compatible, an appropriate use of resources in the Refuge System. Hunting programs will meet the quality criteria defined in section 1.6 and, to the extent practicable, be carried out consistent with State laws, regulations, and management plans (see 605 FW 2).

D. Standard 4. Provide quality fishing opportunities. Fishing is a wildlife-dependent recreational use and, when compatible, an appropriate use of resources in the Refuge System. Fishing programs will meet the quality criteria defined in section 1.6 and, to the extent practicable, be carried out consistent with State laws, regulations, and management plans (see 605 FW 3).

E. Standard 5. Provide quality wildlife observation and photography opportunities. Visitors of all ages and abilities will have an opportunity to observe and photograph key wildlife and habitat on the refuge when it is compatible with refuge purpose(s). Viewing and photographing wildlife in natural or managed environments should foster a connection between visitors and natural resources (see 605 FW 4 and 605 FW 5, respectively). Wildlife observation and photography programs will meet the quality criteria defined in section 1.6.

F. Standard 6. Develop and implement a quality environmental education program. Through curriculum-based environmental education packages

based on national and State education standards, we will advance public awareness, understanding, appreciation, and knowledge of key fish, wildlife, plant, and resource issues. Each refuge will assess its potential to work with schools to provide an appropriate level of environmental education. We may support environmental education through the use of facilities, equipment, educational materials, teacher workshops, and study sites that are safe, accessible, and conducive to learning (see 605 FW 6). Environmental education programs will meet the quality criteria defined in section 1.6.

G. Standard 7. Provide quality interpretation of key resources and issues. We will communicate fish, wildlife, habitat, and other resource issues to visitors of all ages and abilities through effective interpretation. We will tailor core messages and delivery methods to provide interpretation to refuge visitors and present them in appropriate locations. Interpretive programs will meet the quality criteria defined in section 1.6.

H. Standard 8. Manage for other recreational use opportunities. We may allow other recreational uses that support or enhance one of the wildlife-dependent recreational uses or minimally conflict with any of the wildlife-dependent recreational uses when we determine they are both appropriate and compatible. We will allow uses that are either legally mandated or occur due to special circumstances.

I. Standard 9. Communicate key issues with off-site audiences. Effective outreach depends on open and continuing communication and collaboration between the refuge and its many publics. Effective outreach involves determining and understanding the issues, identifying audiences, listening to stakeholders, crafting messages, selecting the most effective delivery techniques, and evaluating effectiveness. If conducted successfully, the results we achieve will further refuge purpose(s) and the Refuge System mission.

J. Standard 10. Build volunteer programs and partnerships with Friends organizations. Volunteer and Friends organizations fortify refuge staffs with their gifts of time, skills, and energy. They are integral to the future of the Refuge System. Where appropriate, refuge staff will initiate and nurture relationships with volunteers and Friends organizations and will continually support, monitor, and evaluate these groups with the goal of fortifying important refuge activities. The National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998 strengthens the Refuge System's role in developing effective partnerships with various community groups. Whether through volunteers, Friends organizations, or other

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important partnerships in the community, refuge personnel will seek to make the refuge an active community member, giving rise to a stronger Refuge System.

1.15 How do we address special requests and temporary situations? The Refuge System's wildlife-dependent recreation policy must be flexible enough to address special requests or temporary situations. We accommodate these requests only if they are appropriate and compatible. The refuge manager, with guidance from the Regional/CNO office, may issue a one-time or short-term special use permit or letter of authorization for a use not generally allowed. We must keep written justification documenting the analysis and decision on file at the refuge headquarters.

/sgd/ H. Dale Hall
DIRECTOR

Date: January 20, 2006