

UNITED STATES FISH AND WILDLIFE SERVICE

ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the action of Public Hunting on Wapanocca National Wildlife Refuge:

Check One:

_____ is a categorical exclusion as provided by 516 DM 2, Appendix I and 516 DM 6, Appendix 1. No further NEPA documentation will therefore be made.

X is found not to have significant environmental effects as determined by the attached environmental assessment and finding of not significant impact.

_____ is found to have significant effects and, therefore, further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

_____ is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations or procedures.

_____ is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list):

Wapanocca National Wildlife Refuge Hunt Plan – 2007
Hunt Plan Environmental Assessment
Big Game Hunting Compatibility Determination
Nuisance Animal Hunting Compatibility Determination
Small Game Hunting Compatibility Determination
Waterfowl Hunting Compatibility Determination
Section 7 intra-Service Consultation
Finding of No Significant Impact

Signature Approval:

Glen R Miller 4/2/07
(1) Originator Date

Richard Warr 4/19/07
(2) WO/RO Environmental Coordinator Date

Bud Oliver 4/19/2007
(3) AD/ARD Date

C. Anderson 4/25/07
(4) Director/Regional Director Date

2007 HUNT PLAN ENVIRONMENTAL ASSESSMENT

for

WAPANOCCA NATIONAL WILDLIFE REFUGE

Crittenden County

&

ROUND POND and PIGMON UNITS

St. Francis County

Turrell, Arkansas

Date:

March, 2007

Preparer/Contact

Glen R. Miller

U.S. Fish & Wildlife Service

Wapanocca National Wildlife Refuge

P.O. Box 279

178 Hammond Avenue

Turrell, AR 72384

(870) 343-2595

FAX (870) 343-2416

Table of Contents

I. Purpose and Need for Action	3
A. Purpose and Need for Action	3
B. Issues and Concerns	4
II. Proposed Action and the Alternatives	6
A. Alternative 1. No Action (Continue Limited Hunt Program)	6
B. Alternative 2. Implementation of a Restricted, Biologically Based Hunting Program (Preferred Alternative)	6
C. Alternative 2. Implementation of a Maximum Public Use Hunt Program.....	7
Table 1. Responsiveness of Alternatives to Issues and Concerns	8
III. Affected Environment	8
A. Refuge Characteristics	8
B. Biological Environment	9
C. Social Environment	9
IV. Environmental Consequences	10
A. Alternative 1. No Action (Continue Limited Hunt Program)	10
B. Alternative 2. Implementation of a Restricted, Biologically Based Hunting Program (Preferred Alternative)	10
1. Anticipated Direct and Indirect Impacts of Proposed Hunt on Wildlife Species	10
2. Anticipated Direct and Indirect Impacts of Proposed Action on Refuge Programs, Facilities, and Cultural Resources	12
3. Anticipated Impacts of Proposed Hunt on Refuge Environment and Community	14
4. Other Past, Present, Proposed, and Reasonably Foreseeable Hunts and Anticipated Impacts	16
5. Anticipated Impacts if Individual Hunts are Allowed to Accumulate	17
Cumulative Impacts Geographic Matrix from Hunting	20
C. Alternative 3. Implementation of a Maximum Public Use Hunt Program	25
V. Consultation and Coordination with Others	26
VI. Regulatory Compliance	26
Appendix	
Response to Public Comments	27
Wapanocca NWR Map	28

1. Purpose and Need for Action

A. Purpose for the Proposed Action

In response to a 2003 lawsuit filed by the Fund for Animals, the U.S. Fish and Wildlife Service (Service) will amend or rewrite environmental assessments that describe hunting programs at twenty-three national wildlife refuges located in the Southeast Region. The new environmental assessments will address the cumulative impacts of hunting at all refuges which were named or otherwise affected by the lawsuit. This document addresses the hunting programs at Wapanocca National Wildlife Refuge (NWR) in Arkansas.

The purpose of this Environmental Assessment (EA) is to reevaluate the established hunt plan and evaluate the feasibility of establishing new hunting programs on Wapanocca National Wildlife Refuge which includes the Round Pond and Pigmon Units. The Service is required under the National Wildlife Refuge System Improvement Act of 1997 (*16 USC 668dd*) to consider opening refuges to the six priority wildlife-dependent recreational uses, of which hunting is one. The decision to open a refuge to hunting must be consistent with principles of sound wildlife management, applicable wildlife objectives and otherwise be in the public interest (50 Code of Federal Regulations (CFR) 32.1). Hunting must be compatible with the refuge enabling legislation, and consistent with the Refuge Recreation Act of 1962, and the Refuge Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997. Hunting should also be evaluated in regards to the other priority wildlife-dependent recreational uses (fishing, wildlife observation, wildlife photography, environmental education and interpretation) to minimize conflicts while providing opportunities for a premier wildlife experience for all.

B. Need for the Action

The proposed action is to implement a new hunting program and reevaluate the existing hunting programs to provide the public with a high quality recreational experience and provide the refuge with a wildlife management tool to promote the biological integrity of the refuge. A hunting program must be compatible, and should instill positive values and high ethical standards, such as fair chase and sportsmanship, while providing a quality hunt. Policy of the Service Refuge Manual (8RM 5.5) stipulates that hunting on refuges should be superior to that available on other public or private lands and should provide participants with reasonable harvest opportunities, uncrowded conditions, fewer conflicts between hunters, relatively undisturbed wildlife and limited interference from or dependence on mechanized aspects of the sport. Refuges are encouraged to set aside areas or times to promote hunting by youth to instill in them proper hunting methods in a safe environment. The potential for crippling losses should be minimized and out-of-range shooting discouraged. Finally, hunting access and vehicle control should be planned to retain or improve the quality of the hunt and prevent disturbances to habitat, other hunters and wildlife. Land vehicles should only be used to provide access to the

hunting area and not as a technique to make hunting easier, put wildlife at a disadvantage, or increase hunter success.

Refuge managers should offer wildlife-dependant recreation only to the extent that staff and funds are sufficient to develop, operate, and maintain the program to safe, high quality standards (Refuge Recreation Act). Managers should also rely on close cooperation and coordination with the Arkansas State Fish and Game Commission in managing hunting opportunities on the refuge and in setting refuge population goals and objectives.

C. Issues and Concerns

White-tailed Deer

The Public Hunting and Fishing Plan for the refuge developed in 1962 did not mention deer as being present on the refuge. It did state that "The proper management of the uplands for waterfowl will provide adequate food and cover for the quail and any deer that use the area." Thus at that time, deer were few in numbers on the refuge.

According to the draft 1985 Hunt Plan, deer were still not found in numbers sufficient to provide public hunting opportunities. In the early 2000's this was no longer the case. Spot light surveys in early 2002 revealed numbers high enough to warrant concerns for the health of the deer themselves as well as their environment. The census survey was conducted from refuge roads and trails. A total of 119 deer were observed out in open areas (cropland and grass) adjacent 534 acres of quality deer habitat (timber and grassland reforested areas). Even assuming all the deer were out of the woods to where they could be observed, a minimum of 222 deer could be expected to be using the refuge (approximately 1000 acres total habitat available on the refuge). A formal deer herd health check was proposed to the Southeastern Cooperative Wildlife Disease Study, College of Veterinary Medicine, The University of Georgia, Athens, Georgia. They accepted and on September 9, 2002 they harvested five adult deer on the refuge and completed a health evaluation of them. Their evaluation did not disclose evidence of health problems due to the parasitism and malnutrition syndrome but did state "... the APC and other health parameters suggest the population is near nutritional carrying capacity." They explained that high densities of abomsal parasites indicated a high population of deer.

Over population of deer can lead to the development of a browse line in which vegetation from five feet high and down becomes missing in the timbered areas. This eliminates tree regeneration and habitat that many other wildlife species depend upon. The local ecosystem is degraded including the deer population. As deer become stressed for food, they are weakened and become more susceptible to diseases and parasitism. With habitat loss and hunting/trapping during the rapid settling of the area by humans other than native Americans, the deer's natural predators such as the timber wolf and cougar were extirpated from Arkansas. The lack of habitat in the vicinity of the refuge will keep those species from repopulating the area in sufficient numbers to keep the deer population in check.

Turkey

Wild turkeys were found in good numbers on the refuge during the 1970's and early 1980's but then virtually disappeared from the refuge. State turkey biologists believed the decline was due to disease. This often occurs in wildlife when population numbers become high and individuals become stressed. Once disease breaks out, it rapidly travels through the population because individuals are in close proximity to one another. Allowing an archery hunt during the archery deer season will allow some harvest which should help keep the population in check. Most of the turkeys taken would probably be incidental to the hunting of deer with archery equipment.

Raccoon/opossum

Historical predators of these animals included man for meat and fur. Recent dietary and cultural changes have resulted in few animals now harvested for meat and fur. Raccoon populations have increased to where it is not uncommon to find numerous carcasses during summer months presumably succumbing to disease which is not uncommon when a species becomes overpopulated. Hunting is an attempt to keep the population of raccoon and opossum at healthy levels.

Squirrel/rabbit

The hunting of squirrels and rabbits has been offered at Wapanocca for many years. With the initiation of deer hunting in recent years, the hunting of small game and big game often conflicts. Small game hunters walk around in the woods more than the more stationary big game hunters thus often walking unsuspectingly near deer hunters. Timing and zoning is required to minimize confrontations while allowing for both hunts.

Quail

The hunting of quail on the refuge has not been allowed in the past. Timing and zoning will be required to minimize impacts on other refuge hunts.

Snow Geese

One of the purposes for the establishment of Wapanocca NWR in 1961 was to provide habitat for wintering Canada geese. In recent years, rice farming has been initiated in the area around the refuge and former soybean/cotton fields continue to be leveled and converted to rice fields. This has attracted snow geese to this area in ever-increasing numbers. They soon devour foods grown for the Canada geese on the refuge.

In recent years, the snow goose population has increase beyond the levels which their breeding habitat in the tundra can sustain. The Service approved a Snow Goose Conservation Order aimed at reducing this excessive number of geese. After the regular waterfowl seasons are over, hunting regulations for snow geese are continued and liberalized. These liberalized rules include: no bag limits, unplugged shotguns are legal along with electronic callers and shooting can extend to a half hour after sunset.

Nuisance Animals

Wild hogs are not native to this area and are known to degrade wildlife habitat, compete directly with wildlife for food and can pose a disease threat to humans and domestic livestock. Nutria are also not native and compete directly with native aquatic mammals, destroy young cypress trees, and dig up vegetative cover on levees exposing them to erosion. Coyotes and beaver have few natural predators and if left unchecked, quickly expand in population causing problems to the natural environment. These nuisance animals will be allowed to be taken during any refuge hunt by the use of equipment legal for that hunt.

II. Proposed Action and the Alternatives

A. Alternative 1. No Action (Continue Limited Hunt Program)

Under this alternative, the 1985 hunt plan would continue to be implemented. This plan allowed only the hunting of squirrels and rabbits October 1 – November 15 and raccoon and opossum November 1-15. Certain species of wildlife will continue to be at undesirably high levels (e.g. raccoon, deer, snow geese) and others (hogs) could increase to such levels. High populations of raccoon have a negative impact on populations of amphibians, reptiles and ground and low nesting birds. This also affects other species up the food chain upsetting the natural balance. The deer herd health would decline as population levels exceed the capacity of the land to provide adequate resources. Over-browsing by deer would lead to a deterioration of habitat conditions, and consequently a reduction in plant diversity and overall wildlife food availability. Wild hogs are not native to this area, cause habitat destruction/erosion from their rooting activities, and eat native amphibians, reptiles, and ground nesting birds. High levels of snow geese will seriously impact the ability of the refuge to meet its objective of providing for wintering Canada Geese.

B. Alternative 2. Implementation of a Restricted, Biologically Based Hunting Program (Preferred Alternative)

Under this alternative, an expanded hunt program would be implemented on Wapanocca NWR through the development of an approved hunt plan. The plan would provide for hunting opportunities commensurate with public demand and wildlife resources. The developed plan would ensure the integrity of the program through provisions incorporated on the basis of sound science and biological data. Under this alternative, the refuge would be open seasonally to hunting to provide population control of selected species, as well as, recreational hunting deemed biologically appropriate. For most of the hunts all areas of the refuge in which the species is found would be open. However, designated areas could be closed to hunting if deemed necessary. The proposed program would provide public recreation and educational opportunities inherent to a quality hunting program. The program initiated would be conservative and subject to refuge specific restrictions to ensure a “wildlife first” priority. Hunting would be utilized as a management tool to prevent over-population of select wildlife species and subsequent health issues associated with their over-population. In addition, the program would

eliminate the potential for adverse habitat impacts caused by over-population of some species. Habitat objectives achieved through select wildlife population management will ensure plant reproduction and diversity is maintained at levels appropriate to sustain wildlife resources present on the refuge. Implementation of this alternative would also provide a means to control nuisance species (i.e. nutria, beaver, hogs) that can have negative impacts on refuge habitat. This would occur through incidental take opportunities through the hunt program. The preferred alternative will be implemented to minimize disturbance to non-target wildlife and people associated with other public use programs. User conflicts will be addressed through time and space zoning as deemed necessary. Refuge law enforcement will be a priority of the hunting program to ensure compliance with regulations, to promulgate safety and to foster the quality of the program. Because hunting is a cultural and social component that has existed in the surrounding area, implementation of a hunting program will contribute positively to societal aspects. Moderate economic benefits are also anticipated locally with the implementation of this hunt program on Wapanocca Refuge. Implementation of restrictive biologically based hunting program, as described, will provide quality outdoor recreational opportunities to the public.

C. Alternative 3. Implementation of a Maximum Public Use Hunt Program

Under this alternative, a hunt plan would be developed to implement a hunting program that would provide for maximum hunter opportunity. Refuge hunting opportunities would be provided to the maximum extent possible and contingent on meeting only minimum compatibility standards. All areas of the refuge would be opened seasonally and coincide with all State hunting seasons and bag limits. Under this alternative, hunting would provide for population control of all hunted species, however some populations could be a risk for over-harvest. This alternative would provide the greatest degree of hunting, recreation and educational opportunities inherent to a hunting program. However, degradation of hunting and educational experiences may result from implementation of a maximum use program. This could occur through overcrowding and/or lower than desired game populations. Providing maximum hunting opportunities would prevent over-population of wildlife populations and reduce negative habitat impacts that result from over-population of select wildlife and feral species (i.e. deer, hogs, raccoons, beaver). However, under a maximum use approach, the existing land base accessed via roads and trails may be insufficient to prevent overcrowding and subsequent user conflicts. This alternative would pose the greatest potential for undue disturbance to non-target species and people associated with other refuge programs. It would be necessary to increase law enforcement staff and activities to minimize non-target species disturbance, user conflicts and to maintain public safety. Because hunting is a cultural and social component that exists in the area surrounding the refuge, implementation of a hunting program will contribute positively to the societal aspects of the area. Moderate economic benefits would also be anticipated locally with implementation of a maximum use hunt program on the refuge but their sustainability is questionable. This approach is not likely to meet Service policy relative to quality hunts.

Table 1. Responsiveness of Alternatives to Issues and Concerns

<u>Issues and concerns</u>	Alternative 1. No Action (Continue limited Hunt Program)	Alternative 2. Restricted, Biologically Based Hunt Program (Preferred Alt.)	Alternative 3. Maximum Use Based Hunt Program
Development of an expanded Hunting Program	Not Developed; goals and objectives of refuge not achieved; public input not considered	Developed; goals and objectives of refuge achieved; public input considered	Goals and obj. of refuge exceeded; public input considered; possible compatibility issues
User group conflicts associated with hunting	Minimized as user areas differ.	Minimized through refuge specific regs.	High probability
Competition for quota permits by non-residents	No quota hunts exist.	Residents and non-residents allowed equal opportunities	No quota hunts would be scheduled
Too many "wild hogs"	Hunting not allowed; population likely to increase significantly	Special hunts should result in considerable decrease of population	Open hunting would result in considerable decrease of population
Increase deer and turkey populations	Hunting not allowed; population increase; possible decrease in health of population	Populations kept in check by moderate harvest	Population possibly decrease through over-harvest
Snow goose problems	Hunting not allowed; conflicts with management for Canada geese	Special hunts would keep populations from becoming too numerous on the refuge.	Hunting would keep populations down on the refuge. Disturbance to non-target waterfowl expected
Too many raccoon	A minimal hunting season has not controlled the population	Populations are expected to be kept in check.	Population would be expected to be kept in check.
Lack of staff to perform essential public use functions	Adequate staff to oversee the public uses and restricted hunts	Adequate staff to oversee public uses	Significant increase in staff necessary to oversee public uses and maximized hunting program.

III. Affected Environment

A. Refuge Characteristics

Wapanocca NWR, established January 24, 1961, is located approximately 20 miles northwest of Memphis, Tennessee, in Crittenden County, Arkansas. The lands were

acquired under the Migratory Bird Conservation Act for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.

The refuge, 5,484.17 acres in size, literally stands as a wildlife oasis in an agricultural sea. An excellent diversity of habitat exists comprised of agricultural land (465 ac), grassland (115 ac), floodable bottomland hardwood forest (670 ac), seldom-flooded bottomland forest (680 ac), recent reforested floodable bottomland (100 ac), recent reforested seldom-flooded bottomland (891 ac), open water (610 ac) and flooded cypress/willow swamp (1,760 ac). Because of its strategic location along the Mississippi River corridor and in the heart of the Mississippi Flyway and the diverse habitat, the refuge is a prime wintering area for migratory waterfowl and migratory neotropical migrant songbirds.

The Round Pond (480.0 ac) and Pigmon (29.3 ac) Units are located in St. Francis County and were former lands administered by the Farmers Home Administration (FmHA). The Agricultural Credit Act of 1987 authorized the FmHA (now the Farm Service Agency) to transfer fee title interest in inventory farm property to Federal agencies for conservation purposes. Once transferred to the Fish & Wildlife Service, the lands were to be managed as part of the National Wildlife Refuge System according to all applicable policies and guidelines. Round Pond Unit has approximately 60 acres of wetlands and 420 acres of reforested uplands. The Pigmon Unit was reforested through natural regeneration. These Units are administered by Wapanocca NWR and considered a part of that refuge.

Wapanocca NWR received an estimated 14,670 visitors in 2006 of which 1,555 (10.6%) were big game hunters and 472 (3.2%) were small game hunters.

B. Biological Environment

The plant communities contain a high diversity of species throughout the refuge due to the variety of hydrologic regimes. Even though relatively small in size, the varied ecosystems are very productive habitats for a wide array of fish and wildlife species. Bobcat, white-tailed deer, turkey, fox squirrel, rodent spp., wading birds, neotropical migrant songbirds, raptors, waterfowl, fish spp., amphibian spp., and reptile spp. are present throughout the refuge. White-tailed deer are present in sufficient numbers to sustain a controlled harvest. Threatened species and Species of Management Concern (SMC) known to utilize the habitats of the refuge include the bald eagle and the interior least tern (endangered). One active bald eagle nest is found on the refuge. Over 100 least terns have been observed foraging over Wapanocca Lake during summer months.

C. Social Environment

Crittenden County is predominantly an agricultural county with mainly cotton, soybeans, wheat, and rice being planted. Some industry is found in West Memphis, Marion and Earle, but the county is still somewhat economically depressed as are most areas in the Delta lands of Arkansas. According to the 2000 population census, there were 50,866

people living in the county with 18,471 households and 13,373 family units. The median annual household income in 1999 was \$30,109. Hunting remains a traditional form of outdoor recreation for many people in the area despite the general lack of wildlife habitat in the county. Many hunters travel out of county to enjoy this sport. In 2006, 842 small game nonresident (NR), 202 big game NR and 138 day trip NR licenses were sold in Crittenden County along with 1,776 big game and 931 small game resident hunting licenses (*AGFC personal communication*). After adjusting for the 15% of Arkansas hunters that are seniors over age 65 and youth under age 16 that are not required to buy annual licenses, it is estimated that 3,113 hunters are residents of Crittenden County with another 1,182 nonresidents hunting in or near the county.

IV. Environmental Consequences

A. Alternative 1. No Action (Continue Limited Hunt Program)

Under this alternative, the hunting program would be limited to the 1985 hunt plan framework. Selection of this alternative would result in significant wildlife population changes. Population of some individual species (deer, raccoon, wild hogs) will continue to be at undesirably high levels. As population levels exceed the capacity that can be maintained by the land, negative flora and fauna impacts will occur. These impacts will reduce plant and animal diversity and productivity. Significant declines in the deer population, as well as, other forest dependent species will follow through competition for available resources and disease. Wildlife population levels for both game and non-game species would be expected to decline to levels lower than currently present on the refuge, as a result of habitat deterioration. An obvious biological benefit from the selection of the no action alternative would be the continued low disturbance to existing wildlife populations. The no action alternative would be the continued low disturbance to existing wildlife populations. The no action alternative would contribute less to the historic social aspects of the area or to local economics. In addition, this alternative would not fully meet the purposes for which the refuge was established or achieve the goals and objectives of the refuge. Finally, this alternative does little to address the issues and concerns expressed by the public and partner agencies regarding public use on this refuge.

B. Alternative 2. Implementation of a Restricted, Biologically Based Hunting Program (Preferred Alternative)

1. Anticipated Direct and Indirect Impacts of Proposed Hunts on Wildlife Species.

Resident Wildlife

Big game hunting would be utilized as a management tool to prevent overpopulation of white-tailed deer and wild turkey and subsequent health issues associated with their over abundance. The Deer Herd Health Check in 2002 suggested the herd population had risen to a level that was near the nutritional carrying capacity of the habitat (See Section 1. B.). In addition, this program

would eliminate the potential for adverse habitat impacts (See Section 1. B.) caused by deer over-population. Habitat objectives achieved through select wildlife population management will ensure plant reproduction and diversity is maintained at levels appropriate to sustain wildlife resources present on the refuge. Biological assessments of the deer herd and habitat analyses would in combination dictate hunting restrictions implemented to ensure program integrity. Additional restrictions in the program may include quotas and/or time and space zoning to prevent over harvest and to maintain the quality of user experience, as well as reduce potential user group conflicts. Although the hunting program under this action will be restrictive, disturbance to non-target species is unavoidable. Undue disturbance, illegal take, harassment or other unauthorized activities that could cause adverse affects to wildlife will be controlled through the refuge's law enforcement program. However, the impacts that would be incurred are considered to be negligible. Since deer hunting was implemented in 2003, an average of 22 deer have been harvested per year. In February 2006, Arkansas Game & Fish Commission collected 3 deer from the refuge to check for Chronic Wasting Disease (CWD). CWD was not suspected nor found in the samples. The does were each carrying 2 fawn and appeared healthy indicating the herd has not expanded beyond the carrying capacity of the habitat available.

Small game hunting would be utilized as a management tool to try and prevent over-population of raccoon and opossum which can lead to disease outbreaks and over-utilization of prey species.

Due to potential hunter conflicts, some squirrel hunters stay away from the refuge when deer and squirrel hunting are ongoing simultaneously; thus fewer squirrels are harvested than before the deer hunts began in 2003. Hunter sign-in records indicate an average of 582 squirrel were harvested on the refuge yearly prior to 2003 and 325 since 2003. Fewer deer are harvested when squirrel and deer hunting coincide as squirrel hunters walking through the woods move deer faster than archery hunters can aim in on their targets. Time and space zoning is utilized to try and maintain the quality of user experience and minimize user group conflicts.

Although the hunting program under this action will be restrictive, disturbance to non-target species is unavoidable. Undue disturbance, illegal take, harassment or other unauthorized activities are discouraged by the refuge's law enforcement program. Even with an active law enforcement program, it is known that some hunters claim they will kill any snake they come across.

Wildlife that feed on corn would benefit slightly with a snow goose hunt as the food would be around longer in the winter time. Waterfowl hunting would have little direct effect as resident wildlife mostly utilize other than agricultural habitats.

Migratory Species

Control of the deer population will keep the forest understory from being depleted by over-browsing. Many neotropical migrant songbirds depend upon this understory for nesting and foraging for insects. Under this hunting proposal, the current road and trail system would not be increased. This would prevent any additional fragmentation of the forest habitat which causes poor recruitment by neotropical migrant songbirds. Migrating and wintering waterfowl do not utilize habitat suitable for deer and turkey hunting, thus there would be no conflict with them.

There would be little or no disturbance to neotropical migrant songbirds as these bird species are not present on the refuge during most hunting seasons.

Canada geese and mallards would benefit in having corn as 'hot' food available to them during extreme cold period. Canada geese do not normally associate with large flocks of snow geese on the refuge thus would not be in close proximity to hunters.

The harvest of snow geese on the refuge is not expected to be significant as hunting would soon drive them out of the area. Most snow geese found in this region of Arkansas are found in the rice producing area between Jonesboro and Brinkley. The flocks hunted at Wapanocca would probably join up with them.

Endangered Species

Hunting will not impact listed species on the refuge. The interior least terns have migrated out of the area by the time the hunting occurs and do not show up again until late spring, long after the hunts have ended. The resident bald eagles only utilize the flooded timbered areas during the spring nesting season and not during the time hunters are afield. A few eagles hunt concentrations of waterfowl during winter months in search for wounded and weak birds that are easy prey for them and have been seen feeding on snow goose carcasses. Duck populations on the lake would be sufficient to meet the eagles' needs.

2. Anticipated Direct and Indirect Impacts of Proposed Action on Refuge Programs, Facilities, and Cultural Resources.

Other Refuge Wildlife-Dependant Recreation

Hunting is not allowed within 50 yards of roads and 150 yards of refuge buildings. The wildlife-dependant recreation of wildlife observation and wildlife photography, are conducted mainly along refuge roads thus the impact is negligible to these activities. Fishing occurs away from hunting habitat and thus hunting activities. Wildlife interpretation occurs around and in the visitor contact/office building around which the area is closed to hunting. Squirrel hunting has decreased since the refuge was opened to deer hunting due to hunters wanting to avoid potential conflicts. The average number of squirrel hunters prior

to the commencement of big game hunting on the refuge in 2003 was 362. The average number of squirrel hunters since has been 287 per year.

Refuge Facilities

The Service defines facilities as: "Real property that serves a particular function(s) such as buildings, roads, utilities, water control structures, etc." Under the proposed action those facilities most utilized by hunters are: hunter information station, roads, parking lots and trails with minor utilization of the restrooms in the visitor center of the headquarters building. Maintenance or improvement of existing facilities (i.e. parking areas, roads, trails and buildings) will cause minimal short term impacts to localized soils and waters, and, may cause some wildlife disturbances and damage to vegetation. The reader should note that, the facility maintenance and improvement activities described are periodically conducted to accommodate daily refuge management operations and general public uses such as wildlife observation and photography. These activities will be conducted at times (seasonal and/or daily) to cause the least amount of disturbance to wildlife. Siltation barriers will be used to minimize soil erosion, and all disturbed sites will be restored to as natural a condition as possible. During times when roads are impassible due to flood events, ice, or other natural causes those roads, parking lots and trails impacted by the event will be closed to vehicular use.

An area within 150 yards of refuge buildings is closed to hunting. High powered rifle hunting is not allowed by the State or the refuge in the deer zone Wapanocca NWR is located so hunting has no direct adverse impacts on the buildings.

Cultural Resources

The body of federal historic preservations laws has grown dramatically since the enactment of the Antiquities Act of 1906. Several themes recur in these laws, their promulgating regulations, and more recent Executive Orders. They include: 1) each agency is to systematically inventory the historic properties on their holdings and to scientifically assess each property's eligibility for the National Register of Historic Places; 2) federal agencies are to consider the impacts to cultural resources during the agencies' management activities and seek to avoid or mitigate adverse impacts; 3) the protection of cultural resources from looting and vandalism are to be accomplished through a mix of informed management, law enforcement efforts, and public education; and 4) the increasing role of consultation with groups, such as Native American tribes, in addressing how a project or management activity may impact specific archaeological sites and landscapes deemed important to those groups. The U.S. Fish and Wildlife Service, like other federal agencies, are legally mandated to inventory, assess, and protect cultural resources located on those lands that the agency owns, manages, or controls. The Service's cultural resource policy is delineated in 614 FW 1-5 and 126 FW 1-3. In the FWS's Southeast Region, the cultural resource review and compliance process is initiated by contacting the Regional Historic Preservation Officer/Regional Archaeologist (RHPO/RA). The RHPO/RA will

determine whether the proposed undertaking has the potential to impact cultural resources, identify the “area of potential effect”, determine the appropriate level of scientific investigation necessary to ensure legal compliance, and initiates consultation with the pertinent State Historic Preservation Office (SHPO) and federally recognized Tribes.

The RHPO/RA has determined that hunting, regardless of method or species targeted, is a consumptive activity that does not pose any threat to historic properties on and/or near the Refuge. In fact, hunting meets only one of the two criteria used to identify an “undertaking that triggers a federal agency’s need to comply with Section 106 of the National Historic Preservation Act. These criteria, which are delineated in 36 CFR Part 800, state:

- 1 – an undertaking is any project, activity, or program that can alter the character or use of an archaeological or historic site located within the “area of potential effect;” and
- 2 – the project, activity, or program must also be either funded, sponsored, performed, licensed, or have received assistance from the agency.

Consultation with the pertinent State Historic Preservation Office and federally recognized Tribes are, therefore, not required.

The only cultural resource sites on or near the refuge are artifacts underground at former Post Archaic/Neo-Indian habitation sites. The areas open to the public and protected by an active refuge law enforcement program.

3. Anticipated Impacts of Proposed Hunt on Refuge Environment and Community.

Refuge Natural Environment

State regulations only allow 5 days of modern gun deer hunting in the zone in which Wapanocca NWR is located. Firearms are limited to shotguns with slugs only and muzzleloading rifles. Quota hunts with no more than 125 participants will be allowed during these hunts. Ammunition used in the small game hunts are .22 rimfire bullets and nontoxic shot shells for shotguns. Waterfowl hunting also requires the use of nontoxic shot shells. The required nontoxic shot will minimize negative impacts to the environment that lead shot has. There will be minimal impacts from the exhaust of these weapons to the immediate air quality. Firing of these weapons will have a short term affect on the solitude in the refuge. The archery hunt will not have an affect on these environments. Both the gun and archery hunts will have limited affect on the vegetation in the timber habitat. Small plants may be bent over or broken off due to foot travel. However, much of this vegetation will have died or shortly will die from freezing temperatures. Refuge regulations prohibit cutting or defacing trees, the driving or screwing of nails, spikes or other metal objects into the trees. There will be an increase in vehicle useage on the refuge by hunters thus additional vehicle exhaust will add

particulates to the air, however this will be minimal as traffic will be light and the longest road on the refuge is only six miles.

Snow geese using the refuge are found only on the lake and cropland areas (winter wheat, corn, and harvested bean stubble). The hunting of the geese to keep them from feeding out the agricultural crops would chase them off the refuge where they would no longer use Wapanocca Lake for loafing/resting. This would have some positive affect on the lake itself. Since the lake is basically a closed system, eutrophication has been a historical problem. The defecation by waterfowl into the lake adds to this problem.

Feral hogs are a problem on many refuges and off-refuge habitats. They root up vegetation and eat most forms of wildlife they come in contact with. They are not native to this area thus are considered to be an invasive species and very destructive to the environment. The taking of feral hogs on the refuge is allowed during refuge hunts by the use of equipment legal for that hunt. Occasionally feral hogs are seen on the refuge. Big game hunting will allow more opportunities for the control of this species on the refuge.

Surrounding Community

The nearest residence to the refuge is 285 yards from the refuge boundary with a raised railroad track between it and the refuge thus is physically as well as visually protected from refuge hunts on the refuge. The next is the City of Turrell, 4/10 of a mile away. There will be minimal affect to general visitors using the refuge simultaneous to the hunts (see Section IV. B. - Other Refuge Wildlife-Dependent Recreation). The loss of 75 squirrel hunters is offset by the gain of 1500 big game hunters.

Area Economy

The proposed hunt will likely provide some positive benefits from hunting related expenditures at local restaurants, motels and hunting supply vendors. Providing opportunities for public hunting, in an area otherwise void of huntable habitats, will help maintain the social aspects historically experienced by community residents. It also benefits local hunters financially as they do not have to travel long distances to hunt thus saving on the expenditure of fuel and helping to make this nation less dependant on foreign oil. Local fuel stations may be impacted negatively through the loss of fuel purchase by local hunters hunting locally.

Environmental Justice

Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" was signed by President Bill Clinton on February 11, 1994, to focus federal attention on the environmental and human health conditions of minority and low-income populations with the goal of achieving environmental protection for all communities. The Order directed federal agencies to develop environmental justice strategies to aid in identifying and addressing disproportionately high and adverse human health or

environmental effects of their programs, policies, and activities on minority and low-income populations. The Order is also intended to promote nondiscrimination in federal programs substantially affecting human health and the environment, and to provide minority and low-income communities access to public information and participation in matters relating to human health or the environment. This assessment has not identified any adverse effect unique to minority or low-income populations in the affected area. The proposed action would provide local minority and low-income populations an opportunity to hunt close to home without having to drive long distances to participate in this activity.

4. Other Past, Present, Proposed, and Reasonably Foreseeable Hunts and Anticipated Impacts.

Limited deer hunting began in 2003 with a quota archery hunt. A total of 30 permits were issued for October and 30 for November. In 2004 the hunt was expanded to allow all licensed hunters to hunt with archery equipment from October 1 through December 31 with exception of a 2 day quota gun hunt in November. In 2007, the archery deer hunt was extended through January. A total of 150 names were drawn for the 2 day gun hunt. It is anticipated that in order to keep the herd population within levels that is not detrimental to the refuge habitat, the hunt will need to be extended into the foreseeable future. Both habitat and the deer herd will periodically be monitored to assure the health of both. Variations to the hunt may have to be made to ensure the goals and objectives of the refuge are met.

Turkey hunting has not been allowed on Wapanocca NWR in the past.

Squirrel hunting on the refuge was begun in 1964 and raccoon in 1967. There has been no indication that either hunt has negatively impacted the overall populations. Raccoon numbers are even higher than desired on the refuge. Raccoon hunting is a diminishing activity as the demand for furs is very low. Older hunters are becoming unable to participate and are not being replaced by younger hunters in equal numbers. Many hunters come for the enjoyment of hearing their dogs work and are content in harvesting only 1 or 2 animals to keep their dogs interested. With the current mindset against wearing furs, it does not appear the trend will change in the near future. While opossum hunting is still allowed in conjunction with raccoon hunting, the raccoon hunters do not harvest many as they do not want their dogs to start trailing opossum.

Rabbit hunting is allowed within the same time frame as squirrel hunting. Few hunters actually target this activity and most animals harvested are in conjunction with the squirrel hunt. Most hunters want to hunt rabbits later in the year after the 'wool worm', a grub under the skin not affecting the meat, have left the animals. The rabbit season is closed at that time to not conflict with deer hunting. The rabbit population is kept in check by natural predators such as the bobcat and coyotes.

Quail hunting has not been allowed on Wapanocca NWR in the past.

The refuge has not been open to waterfowl hunting since it was established in 1961. The impact on the overall snow goose population would be insignificant given the large numbers presently found on this continent and the relatively small number that could be expected to be harvested on the refuge. Canada geese and mallards would benefit in having agricultural foods available to them as they needed. Snow goose hunting on the refuge could be expected to continue annually as long as there is a refuge objective to provide wintering habitat for wintering and migrating Canada geese.

5. Anticipated Impacts if Individual Hunts are Allowed to Accumulate.

Big Game Hunting

Deer hunting does not have regional population impacts due to restricted home ranges. Wapanocca NWR is a virtual island of habitat within a sea of agriculture. Hunting is expected to move some deer off-refuge into small patches of habitat on private property thus there can be expected a greater harvest adjacent the refuge than before deer hunting was allowed on the refuge. This harvest is insignificant in the overall management of the herd as the land around the refuge is leased to hunting by only a few hunters and the harvest is therefore small. Deer hunting was not allowed on the refuge prior to 2003. With the exclusion of hunting, the deer herd increased in numbers to where they were considered at the peak of the habitat's carrying capacity (Section 1. B.). Since deer hunting was implemented in 2003, harvesting of deer has been adequate to keep the herd healthy (Section IV. A.). To keep deer numbers in balance with the available refuge habitat, deer hunting will probably be needed annually within the foreseeable future. The State's deer hunting framework for the deer zone in which Wapanocca NWR is located is currently: Archery – October 1 through February 28 and Modern Gun – 2 day early November Special Youth Hunt, 2 day mid-November and 3 day Christmas Holiday hunts. The deer hunts on Wapanocca is currently more restrictive in that the archery season runs from October 1 through January and the modern gun hunt is only held during the two day mid-November hunt. The framework of the refuge hunts may vary depending on the surveys of the deer population and their habitat.

The proposed deer hunts will have impacts on the fox squirrels and the hunting of that species due to spatial and temporal aspects of the hunts. Both hunts overlap in the time the hunts occur and both occur in the same habitat. (See Section IV. A. Resident Wildlife). Impacts to other visiting public will be negligible, see Section IV. B. Other Refuge Wildlife-Dependant Recreation.

A big increase of hunters targeting turkey is not anticipated. Most of the turkeys harvested are expected to be incidental to the deer hunt. Turkeys are non-migratory and therefore hunting only impacts the local population. The State regulations on the fall turkey hunt in the turkey zone in which the refuge is

located limits one bird to be taken by archery annually. With lack of habitat in the area of the refuge, other turkey populations are not found nearby. The few turkey taken annually thus should not cumulatively adversely impact the overall population of this species.

There are no spatial or temporal conflicts with migratory birds or endangered species (Section IV. A.). The agricultural lands on which waterfowl may feed are closed to the public thus also to big game hunters beginning December 1 when waterfowl numbers begin to build up on the refuge.

Over 900 acres of former agricultural lands on the refuge have been recently reforested through the planting of acorns and seedlings. The high deer population has slowed the growth of the small trees through browsing the tops of them yearly. It often takes many extra years for the trees to reach a height above the browse line to where they can grow normally. This slows advancement of the trees into mature timber situations on which many wildlife species depend. However, this is balanced by the fact that many grassland and shrub species find the conditions ideal. The deer population can be expected to increase with the additional habitat and the deer hunts may need to be adjusted to reflect that increase.

The cumulative effect on the human community will be positive with increased opportunities for the hunting public to engage in this activity and the financial expenditures related to the hunts.

The refuge ecosystem would benefit by keeping it in balance. A healthy deer harvest will keep the deer from building up numbers to where over consuming the available habitat would be detrimental to the vegetation and the wildlife which depends upon it. A healthy turkey harvest would still leave numbers high enough for the viewing public to routinely observe them.

Small Game Hunting

The proposed hunts do not appear to likely have a negative impact locally on the species hunted (see Section IV. D.) in the foreseeable future. Squirrels, rabbit, raccoon, and opossum cannot be affected regionally by refuge hunting because of their limited home ranges. Cumulative adverse impacts to raccoon and opossum are unlikely considering they reproduce quickly, are difficult to hunt due to their nocturnal habits, and are not as popular for hunting as other game species.

The squirrel hunts will have impacts on deer and the hunting of that species due to spatial and temporal aspects of the hunts. Both hunts overlap in the time the hunts occur and both occur in the same habitat. (See Section IV. A. Resident Wildlife). Impacts to other visiting public will be negligible, see Section IV. B. Other Refuge Wildlife-Dependant Recreation. Cumulative adverse impacts to squirrel

and rabbits are unlikely due to the limited time in which the seasons are open on the refuge and rapid reproduction capability of these species.

Quail are non-migratory and therefore are not regionally affected by hunting. With the reforestation of former agricultural fields, the early successional habitat that quail favor has increased in recent years. Quail populations are dictated more by the availability of habitat than hunting pressure. The Arkansas Game and Fish Commission reports that quail populations in the state continue to decline due to the loss of suitable habitat. They noted an increase with the initiation of the Conservation Reserve Program (CRP) however as the pine seedlings planted under that program grew, problems arose with the quail population trees began shading out the production of early successional plant species. With the difficulty of hunting on the refuge, a big increase of hunters targeting quail is not anticipated thus cumulative adverse impacts to the quail are unlikely.

There are no spatial or temporal conflicts with migratory birds or endangered species (Section IV. A.). The agricultural lands on which waterfowl may feed are closed to the public thus also to small game hunters beginning December 1 when waterfowl numbers begin to build up on the refuge.

The cumulative effect on the human community will be positive with increased opportunities for the hunting public to engage in this activity and the financial expenditures related to the hunts.

The refuge ecosystem would benefit by keeping it in balance. A healthy raccoon harvest will keep them from building up numbers to where they are over consuming their prey species.

With the hunting framework currently adopted and within the proposed hunt plan, numbers of the diurnal species are adequate to frequently be observed by the public coming upon the refuge to view wildlife.

Waterfowl Hunting

The impact on the overall snow goose population would be insignificant given the large numbers presently found on this continent and the relatively small numbers that could be expected to be harvested on the refuge each year. The annual recruitment by young of the year produced would far exceed the harvest found on the refuge.

Canada geese do not normally associate with large flocks of snow geese thus there would be minimal disturbance from the actual hunts. The Canadas would benefit yearly from having food available to them as they need it.

There are no spatial or temporal conflicts with other migratory birds, resident wildlife or endangered species (Section IV. A.). The agricultural lands on which

waterfowl may feed are closed to the public thus the waterfowl hunt would not impact other public use programs.

The cumulative effect on the human community will be positive with increased opportunities for the hunting public to engage in this activity and the financial expenditures related to the hunts.

The lake ecosystem would benefit somewhat by the proposed hunt with the addition of less nutrients annually (See Section IV. C. Refuge Natural Environment).

Cumulative Impacts Geographic Matrix from Big Game Hunting

	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Resource/Activity				
Hunting of migratory species				
Migratory	No impact as hunts do not occur in the same areas			
Hunting of Resident wildlife				
Small home range	Fewer hunters as hunts overlap			squirrels, rabbits
Large home range	Additional 1500 hunter days	Somewhat fewer hunter days outside the refuge but a gain including refuge hunts		white-tailed deer wild turkey
Endangered species				
Small home range				none on refuge
Large home range	No impact as eagles do not occupy areas hunted at the time of the hunts			resident bald eagle
Migratory	No impact as species do not occupy areas hunted at the time of the hunts	See Local Analysis	See Local Analysis	interior least tern, bald eagle

Resource/Activity (continued)	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Non-hunted wildlife (only non-target species likely to be impacted)				(except endangered species)
Small home range	Positive impact by keeping deer population from over-browsing vegetative habitat			
Large home range	Positive impact by keeping deer population from depleting forest regeneration. More steady food source for turkey predators	See Local Analysis		
Migratory	Positive impact by keeping deer population from depleting forest regeneration	See Local Analysis	See Local Analysis	
Refuge Environment				
Vegetation and soils	Slight short-term impact on vegetation from trampling of hunters			
Facilities, roads and trails	No impact on buildings, slight impact on roads due to small increase in traffic			
Wildlife Recreation				
Wildlife observation	Little impact as most observation is along roads/obs. pier where there are no hunters	See Local Analysis		
Wildlife photography	Little impact as most photography is along roads/obs. Pier where there are no hunters	See Local Analysis		
Interpretation	No impact as interpretation is at refuge headquarters which is closed to hunting	See Local Analysis		
Environmental Education	No impact as E.E. activities are held in areas where there are no hunters	See Local Analysis		

Cumulative Impacts Geographic Matrix from Small Game Hunting

	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Resource/Activity				
Hunting of migratory species				
Migratory	No impact as hunts do not occur in the same areas			
Hunting of Resident wildlife				
Small home range	Hunting has not been observed to have a negative impact on overall population			squirrels, rabbits, quail, raccoon
Large home range	Some disturbance from hunters afield	None		white-tailed deer wild turkey
Endangered species				
Small home range				none on refuge
Large home range	No impact as eagles do not occupy areas hunted at the time of the hunts			resident bald eagle
Migratory	No impact as species do not occupy areas hunted at the time of the hunts	See Local Analysis	See Local Analysis	interior least tern, bald eagle
Non-hunted wildlife (only non-target species likely to be impacted)				(except endangered species)
Small home range	Small disturbance from hunters afield			
Large home range	Small disturbance from hunters afield	See Local Analysis		
Migratory	Small disturbance from hunters afield	See Local Analysis	See Local Analysis	
Refuge Environment				
Vegetation and soils	Slight short-term impact on vegetation from trampling by hunters			
Facilities, roads and trails	No impact on buildings, slight impact on roads due to small increase in traffic			

Resource/Activity (continued)	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Wildlife Recreation				
Wildlife observation	Little impact as most observation is along roads/obs. pier where there are no hunters	See Local Analysis		
Wildlife photography	Little impact as most photography is along roads/obs. Pier where there are no hunters	See Local Analysis		
Interpretation	No impact as interpretation is at refuge headquarters which is closed to hunting	See Local Analysis		
Environmental Education	No impact as E.E. activities are held in areas where there are no hunters	See Local Analysis		

Cumulative Impacts Geographic Matrix from Waterfowl Hunting

	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Resource/Activity				
Hunting of migratory species				
Migratory	Would disperse snow geese from local area, small numbers harvested	Very little impact from small numbers harvest	See Regional Analysis	
Hunting of Resident wildlife				
Small home range	No impact as occupies separate territories			squirrels, rabbits, turkeys
Large home range	No impact as occupies separate territories	See Local Analysis		white-tailed deer
Endangered species				
Small home range				none on refuge
Large home range	No impact as eagles do not occupy areas hunted at the time of the hunts			resident bald eagle
Migratory	No impact as species do not occupy areas hunted at the time of the hunts	See Local Analysis	See Local Analysis	interior least tern, bald eagle
Non-hunted wildlife (only non-target species likely to be impacted)				(except endangered species)
Small home range	No impact as species do not occupy areas hunted at the time of the hunts			
Large home range	No impact as species do not occupy areas hunted at the time of the hunts	See Local Analysis		
Migratory	Positive impact by having food available for Canada geese and mallards	Slight positive impact, see Local Analysis	Slight positive impact, see Local Analysis	

Resource/Activity (continued)	Local Analysis	Regional Analysis	Flyway Analysis	Comments
Refuge Environment				
Vegetation, water and soils	Positive impact on lake from less nutrients added annually			
Facilities, roads and trails	No impact on buildings, slight impact on roads due to small increase in traffic			
Wildlife Recreation				
Wildlife observation	No impact as area hunted is closed to the public at that time	See Local Analysis		
Wildlife photography	No impact as area hunted is closed to the public at that time	See Local Analysis		
Interpretation	No impact as interpretation is at refuge headquarters which is closed to hunting	See Local Analysis		
Environmental Education	No impact as E.E. activities are held in areas where there are no hunters	See Local Analysis		

C. Alternative 3. Implementation of a Maximum Public Use Hunt Program

This approach would go beyond meeting the basic biological needs of the refuge and recreational needs of the public. Public use hunting opportunities would be permitted to the extent possible while still meeting minimum compatibility standards. Maximum use would be incorporated by implementing a hunting program that corresponds directly to State seasons and bag limits. Management for maximum use conditions would likely result in lower than desired wildlife populations and create conflicts among refuge user groups that could not be addressed through time and space zoning. If this occurred, it would significantly reduce the quality of the public's overall refuge experience. Under this alternative, it would be necessary to significantly expand the refuge's law enforcement program to ensure public safety and curtail the increased potential of adverse hunting related impacts such as illegal take of animals and plants, wildlife harassment and disturbance to sensitive sites. Incidental disturbance/damage to wildlife resources, habitat, and listed species would likely increase beyond levels considered negligible and may not be appropriately addressed through law enforcement activities. Any over-harvest of a species would result in the ecological balance being negatively altered. Management for maximum public hunting opportunity could however, provide the greatest economical and social benefits for the surrounding communities. Economic

benefits would be through hunting related expenditures at gas stations, motels, restaurants and supply vendors. The potential does exist, however, for these benefits to subside if a reduction in the quality of the hunting experience deters revisits by participants. Providing additional opportunities for public hunting in an area where leasing of hunting rights has restricted hunting opportunities will help maintain the social aspects of the community historically experience by residents. Selection of this alternative would exceed the goals and objectives for which the refuge was established. In addition, implementation of this alternative could create compatibility issues if use reached levels that created unacceptable amounts of disturbance to trust species. Implementation of this alternative would require significant staff and funding increases, to maintain an appropriate level of law enforcement and resource monitoring to minimize any potential affects of high public use.

V. Consultation and Coordination with Others

The Service solicited public comments for the 2007 Hunt Plan and the Environmental Assessment for the 30-day review period which began February 22, 2007 and ended on March 23, 2007. Copies of the documents were placed in three public libraries in Crittenden County (Woolfolk Library, Marion; West Memphis Public Library; and Crawfordsville Public Library). News releases were sent out to the following local newspapers: The Oseola Times, Oseola; Evening Times, West Memphis; The Commercial Appeal, Memphis, TN; Tri City Tribune, Marked Tree; and Wynne Progress, Wynne. The Southeast Regional Office sent the news release to the Southeast Region E-mail news listing. Copies of the documents were sent electronically to the Arkansas Clearinghouse, Arkansas Game and Fish Commission, Roger Fisher (aide to Senator Blanche Lambert-Lincoln), and Corey Gilmore (aide to Congressman Marion Berry). Upon request, copies were sent electronically to Andrew Page with The Humane Society of the United States and to Edwina Langenberg-Miller, Legislative Director for Birch, Horton, Bittner & Cherot, P.C.

See Appendix 1 for comments and response to them.

VI. Regulatory Compliance

Executive Order 12996 – recognizes compatible wildlife-dependent recreational activities involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation as priority general public uses of the Refuge System through which the American public can develop an appreciation for fish and wildlife.

National Wildlife Refuge System Act of 1997 – ensures the Refuge System is managed as a national system of related lands, waters, and interests for the protection and conservation of our Nation's wildlife resources.

Appendix 1 Response to Public Comments

The Service solicited public comments for the 2007 Hunt Plan and associated 2007 Hunt Plan Environmental Assessment (EA). The 30-day review period began February 22, 2007 and ended on March 23, 2007. Copies of the documents were placed in three public libraries and in the Wapanocca NWR visitor center. Copies were sent electronically to the Arkansas Clearinghouse, Arkansas Game and Fish Commission, Roger Fisher (aide to Senator Blanche Lambert-Lincoln), and Corey Gilmore (aide to Congressman Marion Berry). News releases were sent out to five local newspapers as well as to the FWS Southeast Regional Office which sent it out to the Southeast Region E-mail news listings. Upon request, copies were sent electronically to Andrew Page with The Humane Society of the United States on March 12, 2007 and to Edwina Langenberg-Miller, Legislative Director for Birch, Horton, Bittner & Cherot, P.C. on March 15, 2007.

Four comments by the public were received. One of these comments was in support of the Service's preferred Alternative in the draft EA. Two comments were neutral with suggested wording and season changes. One of the comments was in opposition to the preferred Alternative.

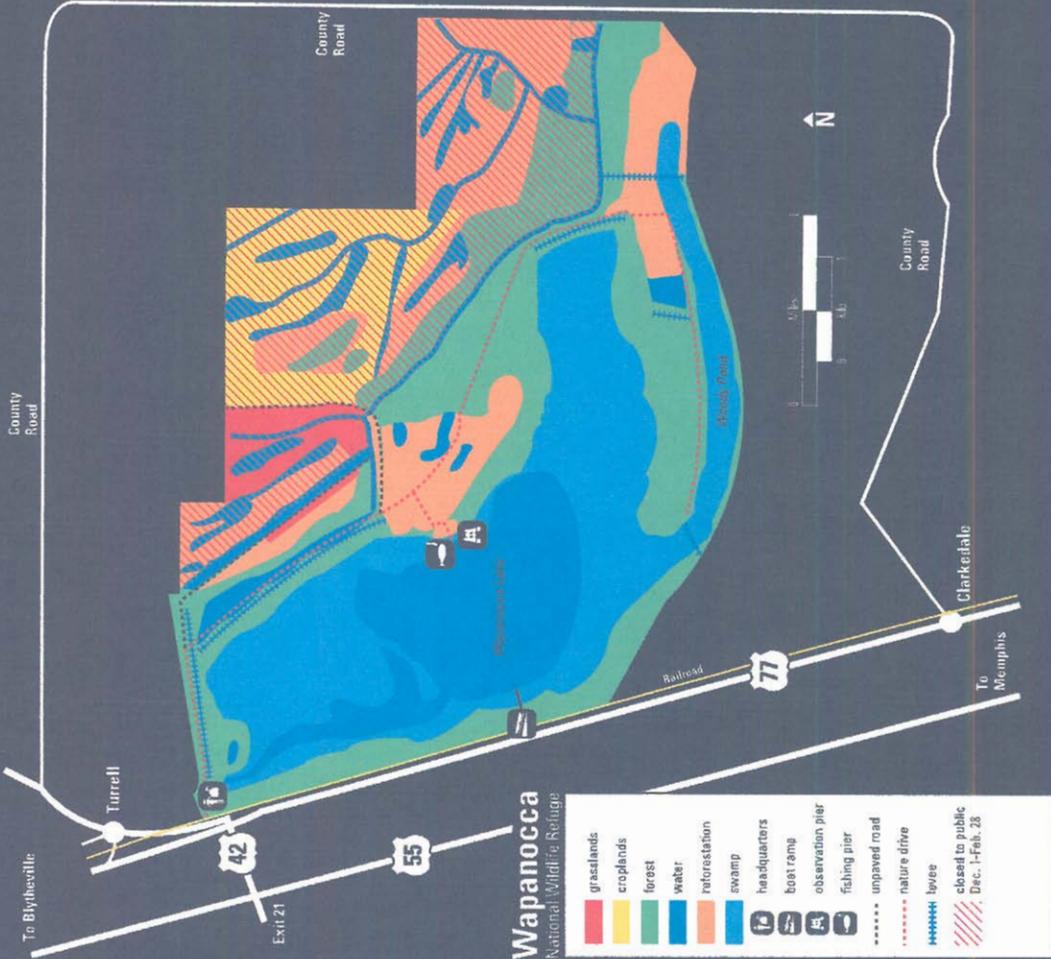
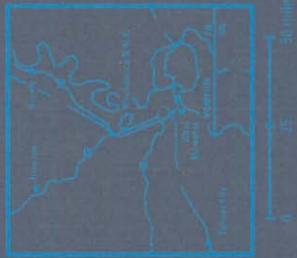
The Arkansas Game and Fish Commission supported the Hunt Plan.

The Deputy State Historic Preservation Officer recommended that Section VI of the Hunt Plan contain a plan to prevent unauthorized collecting and digging at archeological sites by visitors to the refuge. By law, activities on national wildlife refuges are prohibited unless expressly permitted. Collecting and digging anywhere on the refuge is prohibited unless a permit is obtained from the refuge manager. Such activities by all refuge visitors are discouraged by an active law enforcement program. The FWS Regional Historic Preservation Officer advised that a simple reminder in the refuge Public Use, Hunting and Fishing Regulations to "pack out only what you pack in" and to "report any observed illegal activities to Refuge staff" should suffice.

One individual's only comment was to "Extend squirrel season to Dec 31." Comment is noted.

One comment by The Humane Society of the United States (HSUS) was in disagreement to language in the Hunt Plan. HSUS commented "One result of this haste borne carelessness is exemplified in the Wappannoca NWR SHP where, on pages 4-5 the document attempts to explain why snow geese have been increasing in number in Illinois. The problem, of course is this refuge is in Arkansas, not Illinois." We assume they meant Wapanocca NWR however, on pages 4-5 in the hunt plan there is no reference to snow geese in Illinois nor is there any throughout the hunt plan or environmental assessment.

The remaining comments in the letter from HSUS related to hunting on the National Wildlife Refuge System as a whole and containing elements related to litigation filed in 2003 by the Fund for Animals against the Service. These comments were not specific to this draft EA and are noted but not responded to here.



FINDING OF NO SIGNIFICANT IMPACT

2007 Sport Hunting Plan for Wapanocca National Wildlife Refuge

The U.S. Fish and Wildlife Service proposes to expand upon the old hunt plan to better meet the management objectives of Wapanocca National Wildlife Refuge through a quality public hunting program. Alternatives considered included: proposed action, no action, and maximum implementation alternative.

The Service has analyzed the following alternatives to the proposal in an Environmental Assessment (copy attached):

No action alternative - Under this alternative, the 1985 hunt plan would continue to be implemented. Hunting would be limited to squirrels, rabbits, raccoons, and opossum only. .

Proposed action Under this alternative, hunting would be commensurate with public demand and wildlife resources using sound science and biological data to set limits.

Max Implementation Under this alternative, the hunting program would be expanded to provide maximum hunter opportunity, but would cause undue stress on the habitat and refuge resources.

The preferred alternative was selected over the other alternatives because:

1. The preferred alternative would allow the refuge to manage wildlife populations, allow the public to harvest a renewable resource, promote a wildlife-oriented recreational opportunity, increase awareness of Wapanocca NWR and the National Wildlife Refuge System, and meet public demand.
2. The preferred alternative is compatible with general Service policy regarding the establishment of hunting on National Wildlife Refuges.
3. The preferred alternative is compatible with the purpose for which Wapanocca NWR was established.
4. This proposal does not initiate widespread controversy or litigation.
5. There are no conflicts with local, state, regional, or federal plans or policies.

Implementation of the agency's decision would be expected to result in the following environmental, social, and economic effects:

1. The refuge could better manage wildlife populations.

2. This would allow the public to harvest a renewable resource.
3. The public would have increased opportunity for wildlife-oriented recreation.
4. Local businesses would benefit from hunters visiting from surrounding parishes.
5. The Service will be perceived as a good steward of the land by continuing traditional uses of land in Arkansas and by allowing youth an opportunity to learn about hunting.

Measures to mitigate and/or minimize adverse effects have been incorporated into the proposal. These measures include:

1. Seasonal hunting would be opened for selected species when deemed biologically appropriate
2. The refuge law enforcement program and closely regulated hunting season will ensure hunt regulation compliance and will protect refuge resources.

The proposal is not expected to have any significant adverse effects on wetlands and flood plains, pursuant to Executive Orders 11990 and 11988 because this area has historically had recreational hunting with no detrimental long-term effect on wetlands.

The proposal has been thoroughly coordinated with all interested and/or affected parties. Parties contacted include:

- U.S. Fish and Wildlife Service, Division of Ecological Services, Conway, AR
- Arkansas Game and Fish Commission

Copies of the Environmental Assessment are available by writing:

Wapanocca National Wildlife Refuge
178 Hammond Avenue
Turrell, AR 72384

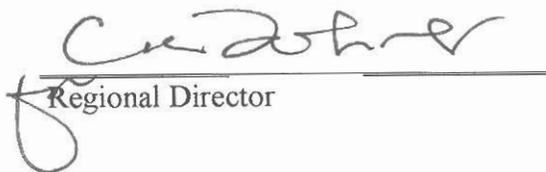
Therefore, it is my determination that the proposal does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of the National Environment Policy Act of 1969 (as amended). As such, an environmental impact statement is not required. This determination is based on the following factors (40 CFR 1508.27):

(for each factor list the page numbers of the EA where the factor was discussed.)

1. **Both beneficial and adverse effects have been considered and this action will not have a significant effect on the human environment (EA, page 14-16)**
2. **The actions will not have a significant effect on public health and safety (EA, page 15-16).**
3. **The project will not significantly effect any unique characteristics of the geographic area such as proximity to historical or cultural resources, wild and scenic rivers, or ecologically critical areas (EA, page 13, 14).**

4. The effects on the quality of the human environment are not likely to be highly controversial (EA, page 15-16).
5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment (EA, page 15, 16).
6. The actions will not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration (EA, pages 26).
7. There will be no cumulative significant impacts on the environment. Cumulative impacts have been analyzed with consideration of other similar activities on adjacent lands, in past action, and in foreseeable future actions (EA, pages 10-26).
8. The actions will not significantly affect any site listed in, or eligible for listing in, the National Register of Historic Places, nor will they cause loss or destruction of significant scientific, cultural, or historic resources (EA, pages 13-14).
9. The actions are not likely to adversely affect endangered or threatened species, or their habitats (Intra-Service Section 7 Biological Evaluation Form attached to EA).
10. The actions will not lead to a violation of federal, state, or local laws imposed for the protection of the environment (EA, pages 26).

References: Environmental Assessment of 2007 Sport Hunt Plan for Wapanocca NWR, Hunting Plan, Compatibility Determination, Letters of Concurrence, Refuge-specific Regulations, Intra-Service Section 7 Evaluation


Regional Director

4/25/07
Date