U.S. Fish & Wildlife Service

Umbagog National Wildlife Refuge

Recreational Fishing Plan
July 2020

Photo Credit: Tom Meredith

Appendix A. Compatibility Determination
Appendix B. Environmental Assessment
Appendix C. Intra-Service Section 7 Evaluation
Appendix D. Finding of No Significant Impact

Estimated Lead Agency Total Costs Associated with Developing and Producing the EA (per ERM 10-12): $8,453

Umbagog National Wildlife Refuge
Recreational Fishing Plan

July 2020

U.S. Fish and Wildlife Service

Umbagog National Wildlife Refuge
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Recreational Fishing Plan Table of Contents

I. Introduction 2
II. Statement Of Objectives 4
III. Description Of Fishing Program 5
A. Where would the use be conducted? *5*
B. Species to be Opened to Fishing *6*
C. Consultation and Coordination with the State *6*
D. Fishing Permit Requirements *6*
E. Law Enforcement *6*
F. Funding and Staff Requirements *7*
IV. Conduct Of The Fishing Program 7
A. Angler Information *7*
B. Refuge-Specific Fishing Regulations *7*
C. Relevant State Regulations *8*
D. Other Refuge Rules and Regulations Related to Fishing *8*
V. Public Engagement 9
A. Outreach for Announcing and Publicizing the Recreational Fishing Plan *9*
B. Anticipated Public Reaction to the Recreational Fishing Plan *10*
C. How Anglers Will Be Informed of Relevant Rules and Regulations *10*
VI. Compatibility Determination 10

List of Tables

Table 1. Fishable Species at Umbagog NWR……6
Table 2. Estimated Costs of the Fishing Program……...7

List of Figures

Figure 1. Recreational Fishing Areas (1) ……..11
Figure 2. Recreational Fishing Areas (2)……...12

<u>Appendices</u>

Appendix A. Compatibility Determination……A-1
Appendix B. Environmental Assessment……...B-1
Appendix C. Intra-Service Section 7 Evaluation ……...……C-1
Appendix D. Finding of No Significant Impact ……...……D-1

I. Introduction

National wildlife refuges are guided by the mission and goals of the National Wildlife Refuge System (Refuge System), the purposes of an individual refuge, U.S. Fish and Wildlife Service (USFWS, Service) policy, and laws and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966 (NWRSAA), as amended by the Refuge System Improvement Act of 1997, the Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations (CFR) and Fish and Wildlife Service Manual.

The mission of the Refuge System, as outlined by the NWRSAA, as amended by the Refuge System Improvement Act (16 U.S.C. 668dd et seq.), is to:

> *"...administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."*

The Act requires that refuges restore and maintain the integrity, diversity, and environmental health necessary to achieve this mission and the purposes established for each refuge.

The NWRSAA mandates the Secretary of the Interior in administering the Refuge System to (16 U.S.C. 668dd(a)(4):

- Provide for the conservation of fish, wildlife, and plants, and their habitats within the Refuge System;
- Ensure that the biological integrity, diversity, and environmental health of the Refuge System are maintained for the benefit of present and future generations of Americans;
- Ensure that the mission of the Refuge System described at 16 U.S.C. 668dd(a)(2) and the purposes of each refuge are carried out;
- Ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the States in which the units of the Refuge System are located;
- Assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the Refuge System and the purposes of each refuge;
- Recognize compatible wildlife-dependent recreational uses as the priority general public uses of the Refuge System through which the American public can develop an appreciation for fish and wildlife;
- Ensure that opportunities are provided within the Refuge System for compatible wildlife-dependent recreational uses; and

- Monitor the status and trends of fish, wildlife, and plants in each refuge.

Secretarial Order 3347 – "Conservation Stewardship and Outdoor Recreation," signed March 2, 2017, and Secretarial Order 3356 – "Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories," signed September 15, 2017, includes direction to Department of the Interior agencies to "…enhance recreational fishing, specifically regarding efforts to enhance and expand recreational fishing access."

CFR, Title 50, Subchapter C, further details additional procedures related to fishing on a national wildlife refuge. The Refuge Recreation Act requires that funds be available for the development, operation, and maintenance of fishing programs. It is anticipated that inclusion of a fishing program will have a negligible impact on refuge financial resources.

Umbagog National Wildlife Refuge (NWR, refuge) was established in 1992 under the authority of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3901 (b)), as part of a comprehensive cooperative protection and management effort to conserve wildlife, wildlife habitat, wetlands, and timber resources along the northern portion of the Maine-New Hampshire border. Partners in this conservation effort included the States of New Hampshire and Maine, conservation organizations, land trusts, and local landowners. The Umbagog area was listed by both the States of Maine and New Hampshire as a priority protection site under the North American Waterfowl Management Plan. This plan is designed to halt the decline of waterfowl populations, and involves Federal and State agencies working alongside waterfowl conservation groups and others to protect and restore waterfowl habitat. The Umbagog wetland complex has also been listed as a priority wetland for New England by the U.S. Environmental Protection Agency.

Lands within the refuge acquisition boundary represent a patchwork mosaic of Federal, State, conservation organization, and private ownership, together with conservation easements held on privately owned lands. The objective of the refuge's land acquisition program has been to complement the conservation efforts of these conservation partners. The Environmental Assessment (USFWS, 1991) establishing the refuge emphasized the importance of a cooperative partnership to achieve the larger goals of protecting wildlife habitat and preserving existing land uses. This included timber management and traditional public uses, such as fishing. These objectives received considerable support from State agencies, local conservation organizations, landowners, and the public during the initial planning process that established the refuge.

Under the Wetlands Resources Act, the purpose of this refuge is "...the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and to help fulfill international obligations contained in various migratory bird treaties and conventions..." Additional refuge lands purchased under the authority of the Migratory Bird Conservation Act (16 U.S.C. 715d) were acquired "for use as an inviolate sanctuary, or for any other management purpose, for migratory birds."

It has been determined that a recreational fishing program, conducted in accordance with State and refuge-specific regulations, will not interfere with the purposes for which the refuge was

established. Umbagog NWR was established, in part to:

1. ....provide visitors with high-quality, safe, and enjoyable recreational experiences oriented toward wildlife; and

2. contribute.....toward protecting the area's habitat values and wildlife-oriented recreational use potential and traditional uses...such as wildlife observation and photography, hiking, hunting, and fishing (U.S. Fish and Wildlife Service, Final Environmental Assessment, Proposal to Protect Wildlife Habitat, Lake Umbagog, Coos County, New Hampshire, Oxford County, Maine, June 1991).

The refuge receives approximately 80,000 visitors each year. Although angler numbers are not tracked, we estimate about 14,000 fishing visits occur on the refuge each year. The states of New Hampshire and Maine require a license for freshwater fishing. The refuge does not require permits for fishing. Administration costs at the refuge are minimal as there are no permits to process. The primary cost to administer the program is law enforcement and maintenance staff time, which is about $6,000 per year. All fishing-related costs are currently paid for with station funds (generally, visitor services and law enforcement funds).

II. Statement of Objectives

Objectives of the recreational fishing program on Umbagog NWR include:

- Provide the public with a quality recreational experience on refuge lands;

- Design a fishing program that is administratively efficient and manageable with existing staffing levels;

- Implement a fishing program that is safe for all refuge users;

- Provide fishing opportunities for youth and those that need assistance;

- Design a fishing program that is in alignment with refuge habitat management objectives; and

- Address boats left at remote ponds and provide a program that allows a reasonable amount of this use through special use permits.

The NWRSAA of 1966, as amended by the Refuge System Improvement Act of 1997, and the Refuge Recreation Act of 1962 authorize public fishing on refuges where the fishing program is compatible with the purposes for which the refuge was established. As part of this document, a compatibility determination was prepared and, assuming management decisions are based on sound biological principles, fishing is deemed compatible and a worthwhile recreational opportunity to provide for the public (Appendix A).

III. Description of Fishing Program

A. Where would the use be conducted?

The use would be conducted under New Hampshire and Maine State fishing regulations for open water and ice fishing, with some additional restrictions to protect fish, wildlife, and habitat, and to reduce potential public use conflicts. The open waters of great ponds (i.e., ponds greater than 10 acres), Umbagog Lake, and associated major rivers, all fall under State regulation. This recreational fishing plan, therefore, applies primarily to access to Umbagog Lake and other great ponds, shoreline fishing, and fishing access from refuge lands.

Boat access for fishing and other activities is available at a number of locations both on and off refuge ownership near Umbagog Lake (see Figure 1). Two State of New Hampshire public boat launches provide boat-trailer access to the upper Androscoggin River and Umbagog Lake. One launch is located upstream of the Errol Dam, and the other is at the southern end of Umbagog Lake. The refuge provides additional boat-trailer access at the Steamer Diamond landing on the Androscoggin River, the refuge headquarters on the Magalloway River, and the refuge canoe launch in Wentworth Location located about 4 miles north of the refuge office.

Fishing will be permitted according to State regulations and at Rapid River, Magalloway River, Androscoggin River, Mollidgewock Brook, Swift Cambridge River, Dead Cambridge River, Mountain Pond, Whaleback Ponds, Little Bear Pond, Bear Pond, Long Pond, Round Pond, Brown Owl Pond, Umbagog Lake, and refuge streams. Bear Pond and Long Pond have rudimentary car top boat launches, and we are not proposing to add or improve boat launches at these sites. Access to other listed waterbodies will only be by hiking in and fishing from boats carried into these locations will be permitted.

Fishing access will be facilitated by proposing new fishing structures at Bear Brook, Round Pond, Long Pond, Mountain Pond, the Magalloway River Canoe Launch, Steamer Diamond and the refuge office. The refuge will submit these projects for funding under visitor service facility enhancement projects to provide accessible fishing structures at these locations. Designs will need to be finalized for these structures and permits will need to be obtained prior to construction. Due to the level of detail necessary for the design and permitting of these structures, we will complete our NEPA obligations during design and once funded, we will work toward completing these.

Motorized boats may be launched from the Steamer Diamond Landing on the Androscoggin River and the refuge headquarters on the Magalloway River. All motorized boats launching or landing on refuge lands must follow State boating regulations and be registered with the appropriate State.

B. Species to be Opened to Fishing

All species of fish occurring in refuge waters that are legal to pursue under State fishing regulations will be opened to fishing including, but not limited to:

Table 1. Fishable Species at Umbagog NWR

Species	Scientific Name
Smallmouth Bass	*Micropterus dolomieu*
Largemouth Bass	*Micropterus salmoides*
Brook Trout	*Salvelinus fontinalis*
Landlocked Salmon	*Salmo salar*
Chain Pickerel	*Esox niger*
Yellow Perch	*Perca flavescens*
Sunfish	*Lepomis spp.*
Brown Bullhead	*Ameiurus nebulousus*
Fallfish	*Semotilus corporalis*
Smelt	*Osmerus mordax*
White Sucker	*Castostomus commersonii*

C. Consultation and Coordination with the State

Refuge staff consulted with New Hampshire Fish and Game Department (NHFG), and Maine Department of Inland Fisheries and Wildlife (MEDIFW). Persons contacted were Dianne Timmins (NHFG) and David Howatt (MEDIFW).

D. Fishing Permit Requirements

A valid New Hampshire and/or Maine fishing license will be required to fish on the refuge, depending on the angler's exact location. Umbagog Lake is an Interstate Waterbody and the States of New Hampshire and Maine have a reciprocal license agreement that allows a license holder to fish the entire lake with either a Maine or New Hampshire license. Please refer to State regulations for current rules regarding this agreement. No refuge permit is required. All anglers must abide by State regulations to fish on the refuge.

Guiding for fishing on the refuge is a commercial use of the refuge and falls under the refuge's Commercial Guiding Compatibility Determination (CD) and requires that any person wishing to guide on the refuge must obtain a Special Use Permit (SUP) from the refuge annually.

E. Law Enforcement

Enforcement of refuge violations associated with management of a national wildlife refuge is the responsibility of commissioned Federal Wildlife Officers. State and local police, special agents, NHFG Conservation Officers, and MEDIFW Game Wardens also assist. Umbagog NWR staff work together with MEDIFW and NHFG to ensure safe and enjoyable recreational fishing opportunities. Law enforcement officers from all three agencies and

New Hampshire Marine Patrol work together to safeguard anglers and other visitors. Since Umbagog Lake is an Interstate Waterbody, the U.S. Coast Guard also has jurisdiction on the lake.

F. Funding and Staff Requirements

Annual fishing administration costs for Umbagog NWR, including salary, law enforcement, maintenance of sites, environmental monitoring, and communication with the public is approximately $6,000. Estimated costs to implement the Umbagog NWR fishing program include:

Table 2. Estimated Costs of the Fishing Program

Item	Cost
Routine Maintenance	$2,000 annually. This is the expected cost to maintain the three public boat launches (Magalloway River, refuge office, and Steamer Diamond landing) and includes laying gravel, maintenance of parking areas, removal of garbage, and restroom maintenance at the Magalloway River launch.
Outreach Supplies and Materials	$500. This includes signage for closed launch sites, buoys and nesting site closure signs, interpretative brochures, fishing regulations brochures.
Monitoring	$500 periodically, to be carried out in cooperation with the States.
Law Enforcement	$3,000 annually for a Refuge Law Enforcement Officer.
Total	**$6,000**

All funds are derived from the refuge's annual base budget. It is anticipated that funding would be sufficient to continue the fishing program at Umbagog NWR in the future.

IV. Conduct of the Fishing Program

A. Angler Information

Information on all fishing opportunities can be found and downloaded from the Umbagog NWR website: https://www.fws.gov/refuge/umbagog/. There are no refuge-specific registration or permit requirements to fish on the refuge. All anglers must abide by State regulations and permitting requirements to fish on the refuge.

B. Refuge-Specific Fishing Regulations

Generally, fishing regulations on Umbagog NWR will follow NHFG and MEDIFW seasons and regulations except as noted below. General regulations pertaining to all national wildlife refuges are found in 50 CFR subchapter C.

Regulations or procedures specific to Umbagog NWR include:

- Shoreline fishing near residential areas and remote campsites is prohibited. Campsite permit holders and camp leaseholders may fish from their permitted or leased location.

- Shoreline fishing from islands, except by campers on remote campsite islands, is prohibited. Permit holders for a campsite may fish at their campsite location.

- Shoreline fishing from wetlands or other sensitive habitats is prohibited.

- The use of lead fishing tackle is prohibited.

Fishing at night for species that are legal during those hours will be allowed. Fishing for brown bullhead (hornpout) at night is anticipated to be the most likely species target during these hours. However, in New Hampshire, fishing for trout and salmon is legal 2 hours after sunset and 1 hour before sunrise. Fishing for these, and other legal species, will be allowed by State regulations. Clearing of vegetation and kindling fires are strictly prohibited by 50 CFR 27. Fishing for brown bullhead at night will be allowed from remote campsites, existing developed sites (Magalloway River Canoe Launch, refuge headquarters, Steamer Diamond Boat Launch, Bear Brook where it joins the Magalloway River) and future facilitated fishing areas. Fishing for trout and salmon after sunset in ponds, streams and rivers will be by State regulations.

Fishing from shore near residential areas will not be permitted to minimize conflicts with adjacent private landowners and lessees. In addition, fishing from shore on islands will be prohibited, with the exception of remote campsites on Umbagog Lake. Fishing derbies and tournaments from refuge lands are not allowed.

Guiding for fishing on the refuge is a commercial use of the refuge and falls under the refuge's Commercial Guiding CD, and requires that any person wishing to guide on the refuge must obtain a SUP from the refuge annually.

C. Relevant State Regulations

This plan seeks to facilitate fishing on the refuge and as such, largely defers to State regulations. Fishing will be conducted according to New Hampshire and Maine regulations.

D. Other Refuge Rules and Regulations Related to Fishing

The public must inspect motor boats and trailers and clean them of aquatic invasive species before launching at refuge sites. That cleaning should take place on dry ground away from the water. Exotic, nuisance plants or animals on boats, trailers, diving equipment, or in bait buckets can disrupt aquatic ecosystems and negatively impact native fish and plant species. Umbagog Lake and its associated rivers appear to be relatively free of aquatic invasive plants, and cleaning of boats, trailers, and other equipment will help keep them that way. Signs, education, and periodic enforcement will remind the public of these regulations.

Unauthorized introductions of both non-native and native fish can also significantly disrupt aquatic ecosystems and destroy natural fisheries. No fish of any species may be introduced onto the refuge without appropriate State and refuge permits. This includes unused baitfish and eggs.

Loons, waterfowl, and other water birds may be poisoned after accidentally swallowing lead fishing tackle. Many ducks and other water birds find food at the bottom of lakes. Most of these birds also swallow small stones and grit to aid in grinding their food. Some of the grit may contain lead from angling equipment. They may also ingest lead and other fishing tackle by consuming bait fish or escaped fish that still have fishing tackle attached. An investigation into causes of mortality in loons in New England found 52 percent of loon carcasses submitted to Tufts University Wildlife Clinic had died of lead poisoning from ingestion of lead sinkers (Pokras and Chafel. 1992). Although other studies have reported lower percentages, lead toxicity clearly poses a significant threat to wildlife. During the past few years, three loon carcasses have been recovered from Umbagog Lake that showed signs of poisoning from lead sinkers. Because of that threat, no lead fishing sinkers or jigs will be permitted on the refuge. Discarded tackle and line also pose a threat to fish-eating birds, including eagles, osprey, and loons.

At the discretion of the refuge manager, some areas may be seasonally, temporarily, or permanently closed to fishing if wildlife or habitat impacts or user conflicts become an issue. In cooperation with State fisheries biologists, we may manipulate the fisheries and/ or habitat to promote or improve the fishery resource, if warranted. That may include changing fishing regulations (season dates, creel limits, methods of take), adjusting water levels (in cooperation with the current Federal Energy Regulatory Commission (FERC) license holder for Errol Dam), introducing or removing fish barriers, manipulating instream or streambank habitat, designating riparian buffers, or limiting timber harvest in the vicinity of refuge waters.

Some refuge ponds have boats that have been carried in and left by members of the public. Refuge regulations prohibit abandonment of property on refuge property and these boats can be removed. However, this is a traditional use at remote, northern forest ponds and is a longstanding tradition prior to refuge ownership of the ponds. The refuge maintains a detailed list of the number of boats found at remote ponds at the time the refuge purchased the property. Boats left at refuge ponds will be removed unless we are contacted by the owner and the owner applies for a SUP. The number of SUPs issued will not exceed the number of usable boats found by the refuge at the pond when the property was acquired. A maximum of 14 permits will be issued for remote ponds in 2020.

V. <u>Public Engagement</u>

A. Outreach for Announcing and Publicizing the Recreational Fishing Plan

To inform the public of the fishing plan and any updates, a news release was submitted to media outlets in the refuge area. Notices were posted at the refuge office and the refuge

website. A 30-day comment period on the draft documents began on March 16, 2020. Due to the unprecedented pandemic response, the comment period was extended an additional 15 days, to April 29, for a total period of 45 days.

B. Anticipated Public Reaction to the Recreational Fishing Plan

Fishing has occurred on Umbagog NWR for many years. Comments on the plan were received from a total of four individuals during the 45-day comment period. Substantive comments were reviewed and considered when finalizing the plan. We are supported by many people who engage in this long-standing conservation tradition and appreciate support for this plan.

C. How Anglers Will Be Informed of Relevant Rules and Regulations

Angler orientation of the refuge will be achieved by providing maps of the refuge at the visitor information center, and on the refuge website. The maps have refuge trails, public use areas, closed areas, and local roads clearly defined. Anglers may address questions to refuge staff by calling, writing, e-mailing, or visiting.

VI. Compatibility Determination

Fishing activities proposed in this plan are compatible with the purposes of the refuge. See attached Appendix A. Recreational Fishing Compatibility Determination.

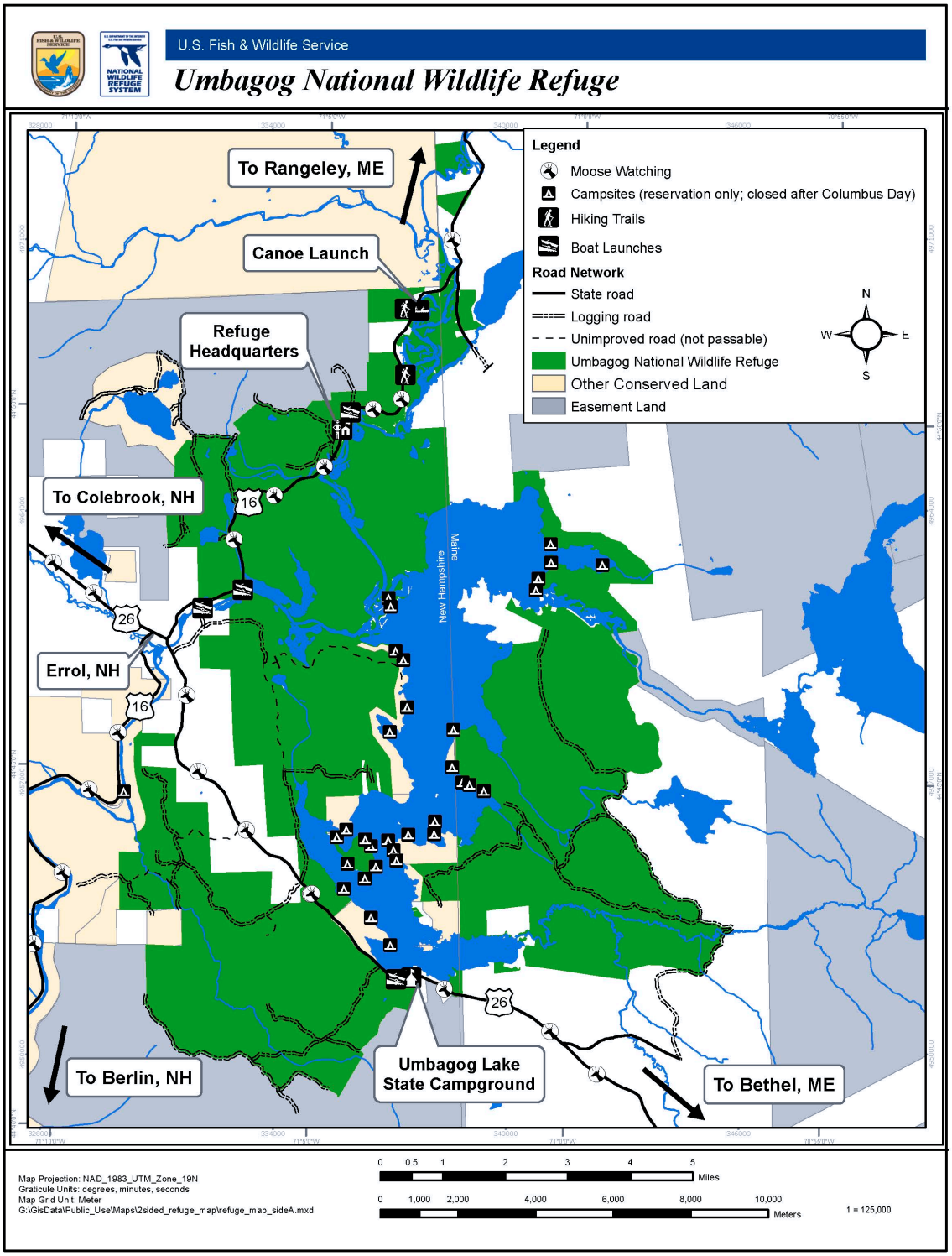

Figure 1. Recreational Fishing Areas (1)

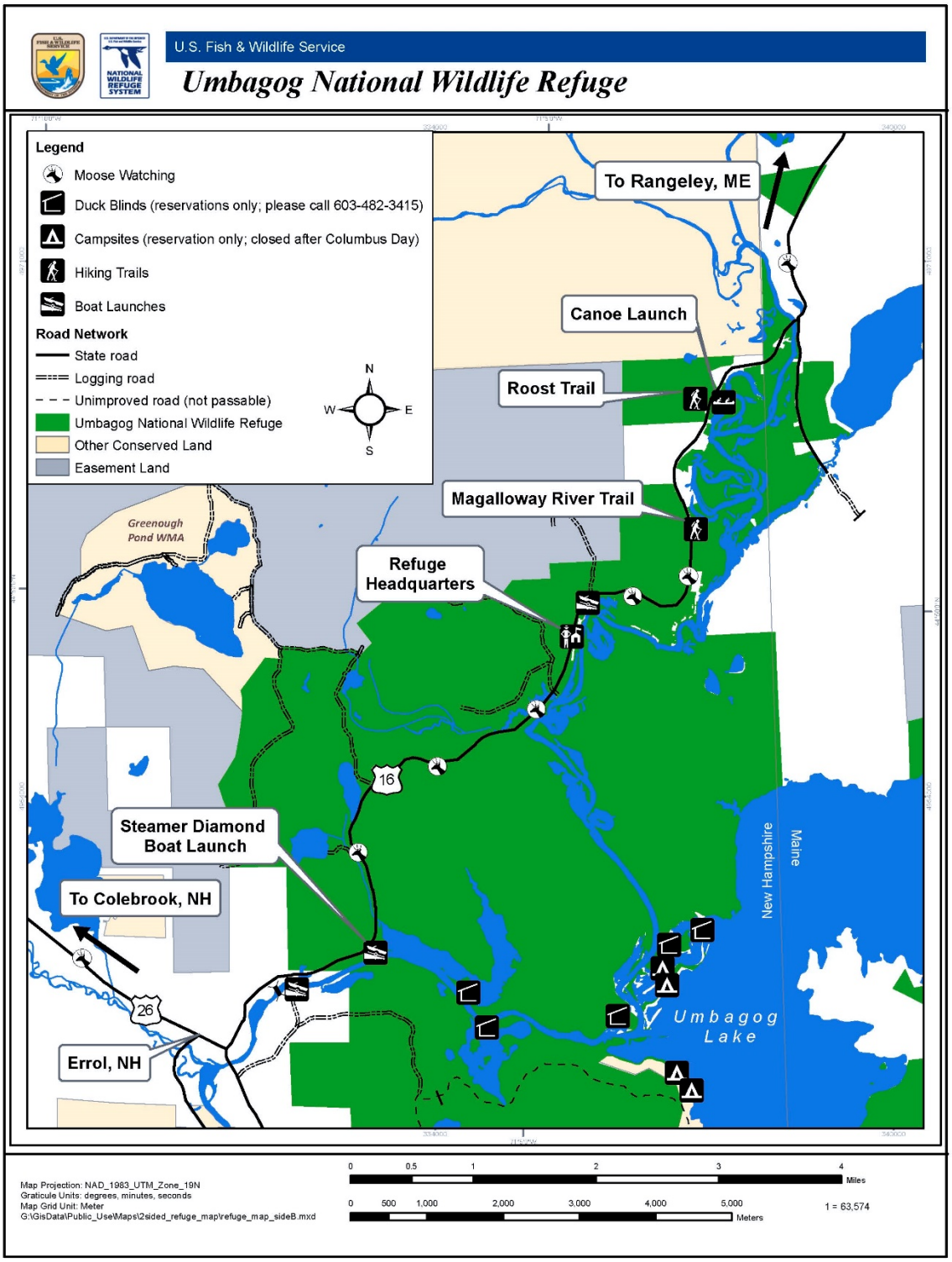

Figure 2. Recreational Fishing Areas (2)