FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT
for RECREATIONAL FISHING
UMBAGOG NATIONAL WILDLIFE REFUGE
COOS COUNTY, NEW HAMPSHIRE
OXFORD COUNTY, MAINE

The U.S. Fish and Wildlife Service (Service) proposes to open fishing at Umbagog National Wildlife Refuge (NWR, refuge) in accordance with the refuge's Recreational Fishing Plan. This plan seeks to: (1) officially open recreational fishing at Umbagog NWR; (2) provide refuge-specific regulations that closely align with New Hampshire and Maine regulations, and (3) address boats left at remote ponds.

Selected Action

Proposed Action Alternative

Under this alternative, the refuge's fishing program would predominantly allow anglers to continue fishing as they have in the past, in accordance with State and Federal regulations. Maine fishing seasons and regulations would apply to all refuge lands in Maine, and New Hampshire fishing seasons and regulations would apply to refuge lands in New Hampshire. Anglers would also have to comply with additional refuge-specific regulations, including but not limited to those contained in the Code of Federal Regulations (50 CFR §32.38 and §32.48), which are revised or updated annually as needed. No lead tackle would be allowed. Fishing from residential shorelines would be prohibited. Fishing from shorelines of islands and wetlands would be prohibited. Lease holders and permitted campsite occupants will be allowed to fish from the shoreline associated with the permitted site. A limited number of permits would be issued for boats left at remote ponds to facilitate fishing.

There are no unresolved conflicts about the proposed action with respect to the alternative uses of available resources, because the minor changes proposed by this action are not expected to have harmful impacts to the ecological, aesthetic, historic, cultural, economic, social, or health aspects of the refuge and surrounding communities. Therefore, the Service does not need to consider additional alternatives (43 CFR 46.310(b)).

This alternative was selected over other alternatives because it offers the best opportunity for recreational fishing that would result in a minimal impact on physical and biological resources, while meeting Service mandates under the National Wildlife Refuge System Administration Act (NWRSAA) of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997. The Service believes that officially opening a fishing program on Umbagog NWR is not expected to have a significant impact to wildlife, other uses, or refuge administration. This alternative will best meet the purpose and need, refuge objectives, and Service mandates.

The Department of the Interior 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." The selected alternative will also promote one of the priority public uses of the National Wildlife Refuge System (Refuge System), and providing opportunities for visitors to fish will promote stewardship of our natural resources and increase public appreciation and support for the refuge.

Other Alternatives Considered and Analyzed

No Action Alternative

Effectively ending fishing at the refuge would cost a substantial amount of money in time and effort to remove boats from remote ponds, purchase and install signage to discourage the use and enforce the decision. Not allowing fishing would adversely affect the refuge's credibility with local communities and state partners. This alternative would likely be viewed by these groups as an inability of the Service to fulfill the commitments for the continuation of public access and traditional uses (including fishing) that the agency made upon refuge establishment and during the development of Umbagog NWR's Comprehensive Conservation Plan (CCP). In addition, not allowing fishing does not fulfill our mandates under the NWRSAA.

Summary of Effects of the Selected Action

An Environmental Assessment (EA) was prepared in compliance with the National Environmental Policy Act of 1969, as amended (NEPA) to provide a decision-making framework that: (1) explored a reasonable range of alternatives to meet project objectives; (2) evaluated potential issues and impacts to the refuge, resources and values; and (3) identified mitigation measures to lessen the degree or extent of these impacts. The EA evaluated the effects associated with the opening of fishing at Umbagog NWR, as well as effects of a no action alternative. It is incorporated as part of this finding.

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

Affected Environment	Selected Action
Hunted/Fished Species	Minor, long-term adverse impacts to species
Other Wildlife and Aquatic Species	Minor, short-term adverse impacts to non-other species
Threatened and Endangered Species	Not likely to adversely affect threatened and endangered species. Minor, short-term adverse impacts to State species of management concern
Vegetation	Minor, short-term impacts to vegetation Minor long-term benefits to vegetation
Geology and Soils	No impacts
Water Resources	No impacts
Cultural Resources	No impacts
Visitor Use and Experience	Minor, short-term adverse impacts to other public uses
Socioeconomics	Minor, short-term and minor, long-term benefits
Refuge Management & Operations	Minor, short-term and minor, long-term impacts to refuge management and operations

Fishing currently occurs in the area and only a negligible increase in fishing is expected to occur. From the awareness generated by actions of the plan, up to 50 additional fishing visits may occur each year at Umbagog NWR. Opening the entire refuge to fishing is anticipated to have a negligible impact to fish populations, as fishing pressure will be relatively low and dispersed over a large area.

While refuges, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the selected action will not have a significant impact on refuge resources and uses for several reasons. Measures to mitigate and/or minimize adverse impacts have been incorporated into the proposal:

1. The Refuge System uses an adaptive management approach to all wildlife management on refuges. This approach involves monitoring and re-evaluating the fishing opportunities on the refuge on a regular basis to ensure that the fishing programs continue to contribute to the biodiversity and ecosystem health of the refuge and these opportunities do not contribute to any cumulative impacts to habitat or wildlife.
2. The refuge-specific regulations detailed in 50 CFR are measures under action that will reduce or avoid impacts. Fishing regulations will be enforced by refuge and State law enforcement officers. Providing fishing information through various forums will ensure the public is aware of applicable laws and policies.
3. The action is not in an ecologically sensitive area.
4. The action is not likely to adversely affect any threatened or endangered species; and will have no effect to federally designated critical habitat.

Additionally, stipulations are necessary to ensure compatibility:

- We will prohibit lead sinkers and other lead fishing tackle to prevent ingestion by wildlife and possible lead poisoning.
- We will permit boat launching only in designated areas to prevent erosion and degradation of wetlands or water quality and ensure public safety.
- We will not permit fishing from or near residential areas and remote campsites to minimize conflicts with adjacent private landowners, lessees and campers.
- We will close wildlife nesting and brood-rearing areas seasonally to all public use, to prevent the disturbance of wildlife. This may include temporarily closing or relocating remote campsites or temporarily closing access sites.

The proposal is compatible with the purpose of the refuge and the mission of the Refuge System (see the Compatibility Determination, Appendix A, in the Recreational Fishing Plan). Furthermore, the action is consistent with applicable laws and policies regarding the establishment of fishing on national wildlife refuges.

Public Review

The proposal has been thoroughly coordinated with all interested and/or affected parties. Parties contacted included New Hampshire Fish and Game Department (NHFG), and Maine Department of Inland Fisheries and Wildlife (MEDIFW). We notified the public through local venues, the refuge website, and notification in the Federal Register (as part of other expansions and openings on national wildlife refuges). 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.

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.

Comment: Opening will increase probability of introduction of non-native plants and fish.

RESPONSE: Through brochures and signage, we will remind the public that they 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. These impacts are not likely to be significant at anticipated levels of fishing use.

Comment: Increased potential of poisoning waterbirds (loons) with lead tackle.

RESPONSE: The plan notes that lead tackle poses a threat to water birds. In order to mitigate this threat, we will prohibit lead sinkers and lead fishing tackle. We have developed educational signs and have placed collection boxes at all boat launches so anglers can properly dispose of their lead fishing tackle. Patrols will occur on the refuge to educate anglers about this regulation and enforce it as necessary.

Comment: Already enough opportunity for fishing in the area.

RESPONSE: The Recreational Fishing Plan, along with the EA and CD, formalize recreational fishing as a public use of Umbagog NWR. Since establishment of the refuge in 1992, recreational fishing has been allowed. Selecting the proposed action of the EA keeps the level of fishing opportunity in the area at approximately the same level that it presently occurs. The No Action Alternative of the EA would actually reduce opportunities for fishing in the area and have a negative impact on local economies.

Comment: Protect native habitat. Biological integrity, diversity and health should be prime consideration, not opening further areas for sporting use.

RESPONSE: The National Wildlife Refuge System Improvement Act clearly identifies fishing as one of six priority public uses that should be facilitated at all national wildlife refuges unless it detracts from the purposes for which the refuge was established. The Service has concluded that recreational fishing will not interfere with the purposes for which Umbagog NWR was established. Furthermore, we manage refuges to support healthy

wildlife populations that in many cases produce harvestable surpluses that are a renewable resource. As practiced on refuges, hunting and fishing do not pose a threat to fish and wildlife populations. It is important to note that taking certain individuals through hunting or fishing does not necessarily reduce a population overall, as the harvesting can simply replace other types of mortality.

Comment: Long-time lakefront owner has seen changes in lake since bass introduction (e.g., used to be primarily trout, salmon, and perch).

RESPONSE: Introducing fish is illegal in both New Hampshire and Maine, and is prohibited on national wildlife refuges. We agree that not only has a previous introduction of small-mouthed bass changed the biology of the lake, it has changed how angling occurs. Casting along shorelines and shallow areas is more frequent now, and the types of lures used has also changed. The refuge will continue to monitor waterbird nesting and temporarily close areas to protect nesting birds like loons and eagles. We will continue to monitor public use trends and nesting success of loons over time to inform any necessary changes in the future.

Comment: Bass anglers have brought plastic lures, which leads to fish health concerns (e.g., ingestion of plastic lures, and reduced body condition). Because plastic lures are inexpensive, bass fishermen treat them with indifference.

RESPONSE: The refuge is also concerned about ingestion of soft plastic lures. Legislation has been proposed twice in Maine to regulate the use of soft plastic lures and/or mandate the use of biodegradable lures. The proposed legislation has not passed as of yet. The refuge supports the States of Maine and New Hampshire in their efforts to regulate these types of lures, and will defer to state laws for their use.

It is illegal to abandon property or dispose of waste on a refuge (see 50 CFR 27.93 and 27.94), whether fishing-related or not. It is also illegal to disturb or injure any non-target plants or wildlife (see 50 CFR 27.51) on a refuge. The refuge will develop educational signs and initiate public outreach on littering to be placed at all boat launches and refuge kiosks. We will also consider ways to develop a collection box for used lures and line for proper disposal at launch sites.

Comment: The draft claims the local population will receive plan positively, but cites no basis for the claim.

RESPONSE: Refuge staff routinely interact with local people around the refuge. While no cited reference substantiates the claim, refuge staff remain confident from their interactions with the local communities and partner groups that there is support for the fishing plan.

Comment: Privileges local voices over others.

RESPONSE: All voices are considered in preparing NEPA documents and responding to comments. The original 30-day comment period on the draft documents was extended to

April 29, for a total period of 45 days. We notified the public through local venues, the refuge website, and notification in the Federal Register (as part of other expansions and openings on national wildlife refuges). It is our opinion that there was ample opportunity for review of these documents, and time for all voices to be heard.

Comment: Possible impacts will not be minimized by claiming proposed regulations will protect wildlife. The draft notes people already fish on the waters in question. If they can't follow rules now, not clear why we think they will follow regulations we put in plan to mitigate

RESPONSE: The Recreational Fishing Plan, along with the EA and CD, formalize recreational fishing as a public use of Umbagog NWR. Since establishment of the refuge in 1992, recreational fishing has been allowed. Selecting the proposed action of the EA keeps the level of fishing opportunity in the area at approximately the same level that it presently occurs. 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. Fishing 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. We will evaluate the fishing program annually, and if monitoring indicates that this use or any of its components are not compatible (materially interferes with or detracts from fulfillment of the Refuge System mission or the purposes of the refuge), we would curtail, modify or eliminate the use or component.

We understand the concern and will work to raise awareness through educational efforts and signage. Patrols during the fishing season will also help to raise awareness and improve compliance.

Comment: There is a mistake in Appendix A, page A-4: Lake whitefish were not introduced into Mooselookmeguntic Lake in the early 1990s, as there is no record. Not sure how lake whitefish got into Umbagog.

RESPONSE: Refuge records, and Appendix A, have been updated.

Comment: At Cedar Stump Pool and Cedar Stump Campground, a 500-foot zone around remote campsites would preclude fishing in Cedar Stump Pool. This would be very unpopular.

RESPONSE: Cedar Stump Campground is owned by Rangeley Lakes Heritage Trust and leased to Northern Waters, who operates the campground. Since it is not owned by the refuge, it would not fall under the 500-foot buffer zone regulation and, therefore, would not restrict fishing in Cedar Stump Pool.

No substantive changes were made to the plan based on the comments.

<u>Determination</u>

Based upon a review and evaluation of the information contained in the EA, as well as other

documents and actions of record affiliated with this proposal, the Service has determined that the proposal to open to recreational fishing on Umbagog NWR does not constitute a major Federal action significantly affecting the quality of the human environment under the meaning of section 102(2)(c) of NEPA. As such, an EIS is not required. An EA has been prepared in support of this finding (Appendix B) and is available upon request to Umbagog NWR.

The Service has decided to select the proposed action as described in the EA, and implement the Recreational Fishing Plan for Umbagog NWR upon publication of the final 2020-2021 Station-Specific Hunting and Sport Fishing Regulations. This action is compatible with the purpose of the refuge and the mission of the National Wildlife Refuge System, and consistent with applicable laws and policies. See attached Compatibility Determination (Appendix A).

SHARON MARINO Digitally signed by SHARON MARINO
Date: 2020.07.06 17:35:16 -04'00'

Acting Regional Chief
National Wildlife Refuge System

Date