

Sport Fishing

Decision Document Package

for

BAYOU TECHE NWR

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Sport Fishing

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for

BAYOU TECHE NWR

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1. Fishing Plan

MANAGEMENT PLAN PART 3

UNITED STATES FISH AND WILDLIFE SERVICE

SPORT FISHING PLAN

BAYOU TECHE NATIONAL WILDLIFE REFUGE

DECEMBER, 2001

Submitted by: _____ Date: _____

_____ Date: _____

_____ Date: _____

_____ Date: _____

Approved: _____ Date: _____

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I. INTRODUCTION

The Bayou Teche National Wildlife Refuge was established to preserve and protect Louisiana black bears in the St. Mary Parish bottomland hardwood complex located in south central Louisiana. The Refuge is a top priority bear conservation project of the Louisiana Black Bear Habitat Protection Plan. The refuge is located approximately 1 mile south of Franklin, Louisiana. It contains 9,040 acres which includes freshmarsh, cypress-tupelo swamp, bottomland hardwoods, and numerous canals that are used by the petroleum industry. It provides excellent habitat for bears, water birds, migratory birds, white-tailed deer, and many other wildlife species.

Refer to the Environmental Assessment for additional information.

II. CONFORMANCE WITH STATUTORY AUTHORITIES

The Refuge Recreation Act of 1962 (16 U.S.C. 460K) authorizes the Secretary of the Interior to administer refuges, hatcheries, and other conservation areas for recreational use when such uses do not interfere with the primary objectives for which the area was established. In addition, the Refuge Recreation Act requires (1) that any recreational use permitted will not interfere with the primary purpose for which the area was established, and (2) that funds are available for the development, operation, and maintenance of the permitted forms of recreation.

The recreational use authorized by the regulations will not interfere with the primary purpose for which Bayou Teche NWR was established. This determination is based upon consideration of the Service's Final Environmental Impact Statement of the operations of the National Wildlife Refuge System published November 1976, and the Bayou Teche NWR Fishing Plan, Environmental Assessment and Section 7 Evaluation. The cost of the proposed fishing program is estimated to be approximately \$5,000.00 for the initial cost and \$3,000.00 per year for an annual cost. Sufficient funds will be available within the refuge budget to operate the fishing program as proposed. It is estimated that 5,000 angler visits per year will take place. This estimate will change after the refuge is open to fishing and actual records are collected on angler use.

Refer to Compatibility Determination for additional information.

III. STATEMENT OF OBJECTIVES

The primary purpose of the Bayou Teche NWR is to manage the area from an ecosystem perspective for the benefit of Louisiana black bears and other wildlife. In order to meet specific refuge and other broader U. S. Fish and Wildlife Service directives, the following objectives have been established for Bayou Teche NWR:

- a. To protect important habitat utilized by the threatened Louisiana Black Bear.
- b. To provide habitats for wintering waterfowl and woodcock.
- c. To provide habitat for non-game neotropical migratory birds.
- d. To provide nesting habitat for wood ducks.
- e. To provide habitats for a diversity of wildlife.
- f. To provide quality sport fishing opportunities.
- g. To provide opportunities for environmental education, interpretation, and wildlife-oriented recreation.

The proposed sport fishing program would be designed to contribute to or be compatible with refuge objectives. It would provide high quality, wildlife-oriented recreation to the general public and the opportunity to utilize a renewable resource. It would also maintain fish populations at optimum levels.

Refer to Environmental Assessment for additional information.

IV. ASSESSMENT

The refuge contains several marsh pond areas and canals that contain viable populations of sport fishes. The species represented include largemouth bass, bluegill, red ear, other sunfishes as well as channel catfish. These species are capable of sustaining fishing pressure. Access to these water areas will be controlled by refuge personnel within the refuge boundary.

A fishery management plan will be needed and developed promptly by consultation with the Fishery Management Biologist assigned to this area.

Refer to the Environmental Assessment for additional information.

V. DESCRIPTION OF FISHING PROGRAM

Areas that will support the fisheries resources are limited to canals and ponds on the refuge. Areas open to sport fishing would depend on Louisiana black bear use patterns, and patterns of migratory bird use during the migration period. Winter denning areas will be set aside to protect dormant bears from disturbance during the winter months. These areas would be closed to fishing. Other areas may be open to sport fishing throughout the fishing season.

State regulation and creel limits would be adopted. Permits may be required.

It is recommended that at least one refuge officer be available to monitor the fishing program. Estimated cost of the program would be 52 man-days at a cost of \$6,000.00 including equipment, fuel, supplies, etc. Costs associated with periodic field season are included in this funding estimate.

VI. MEASURES TAKEN TO AVOID CONFLICTS WITH OTHER MANAGEMENT OBJECTIVES

A. Biological Conflicts

See Section 7 Environmental Assessment

The fishing program is designed to minimize disturbance to Louisiana black bears. Time and space zoning will be used if necessary in order to meet refuge objectives. This will be determined as the program progresses.

B. Public Use Conflicts

The proposed sport fishing program will be designed through time and space zoning to minimize conflicts between other refuge programs. Winter den management will probably be the major use conflict. Modifications to the fishing program may be necessary as the refuge is developed. Fishing opportunities may increase or decrease depending upon future management activities.

C. Administrative Conflicts

At this time no administrative conflicts are anticipated. The fishing program may be in direct competition with other refuge programs. This is mentioned because it does warrant planning

to minimize potential manpower and funding shortage to administer planned refuge programs

VII. CONDUCT OF THE SPORT FISHING PROGRAMS

A. Refuge-specific Fishing Programs

The fishing program will follow the framework established by the Louisiana Department of Wildlife and Fisheries. The refuge fishing program will be reviewed annually and amended accordingly through refuge regulations and season lengths.

B. Anticipated Public Reaction to the Sport Fishing Program

Refer to the “Finding of No Significant Impact “ of the Environmental Assessment.

C. Media Selection for Announcing and Publicizing the Sport Fishing Program

The refuge maintains a mailing list of newspapers and local radio and television stations (for news release purposes). News releases will be developed announcing the fishing season dates, where regulations can be obtained, and other pertinent information. These will then be mailed to each of the contacts on the list.

D. Angler Requirements

Specific Fishing Regulations governing the taking of fish (allowable equipment, licenses, creel limits, etc.) are in accordance with state regulations. Fire and camping are prohibited and refuge permits may be required. Boats may not be left on the refuge overnight. Outboard motor horsepower limits may be designated in some areas to protect the public, habitat, and the quality of the fishing experience on the refuge.

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for
Bayou Teche NWR

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2. EA/FONSI

ENVIRONMENTAL ASSESSMENT
PROPOSED
OPENING BAYOU TECHE NWR TO FISHING

St. Mary Parish

Louisiana

For Further Information, Contact:

Refuge Manager
U. S. Fish and Wildlife Service
Mandalay NWR
3599 Bayou Black Drive
Houma, Louisiana 70360

Prepared by:
U. S. Department of Interior
Houma, Louisiana
December, 2001

I. PURPOSE AND NEED FOR ACTION

Purpose

The primary purpose of the proposed action is to open Bayou Teche NWR to sport fishing.

Need

Opportunities are available on the refuge for sport fishing for largemouth bass, bluegill, redear, other sunfishes as well as channel catfish. Fishing is an acceptable recreational use and is compatible with other programs and objectives on the refuge.

II. THE PROPOSED ACTION AND THE ALTERNATIVES

A. Proposed Action (Preferred Alternatives)

The U. S. Fish and Wildlife Service proposes to open Bayou Teche NWR to sport fishing. Fishing activities would be provided in general conformity with State seasons and creel limits,

subject only to localized and seasonal closures when conflicts between Louisiana black bears and other programs exist.

B. No Action Alternatives

Under this alternative Bayou Teche NWR would not be open to sport fishing.

C. Close Specific Areas to Fishing Year-round

Under this alternative, the U. S. Fish and Wildlife Service would provide fishing opportunities throughout the year.

D. Open Entire Refuge to Fishing Year-round

Under this alternative, the U. S. Fish and Wildlife Service would provide fishing opportunities throughout the year.

III. AFFECTED ENVIRONMENT

This section describes the area's natural environment, including vegetation, fish and wildlife resources, and cultural resources.

A. General

The Bayou Teche NWR is located 1 mile south of Franklin, Louisiana in St. Mary Parish. It contains 9,040 acres of freshwater marshes, bordering swamps, upland ridges, bottomland hardwood forests, oil field canals, and other bodies of water. The refuge is bordered by private marshes. Swamps, bottom land hardwoods and agricultural (sugarcane) areas border the refuge in many areas.

The marsh soils are primarily organic and mucky, and are affected by some sediment recharge from the lower Atchafalaya River. The sediment recharge of these marshes has been modified by U. S. Army Corps of Engineers projects near Morgan City, Louisiana.

Parts of the project area are seasonally flooded by the Lower Atchafalaya River and water is impounded in the marshes because drainage is slow. High tides further complicate drainage. The area's poor interior drainage has caused some changes in the vegetation, but in general the existing plant communities will remain essentially the same.

The climate is humid and subtropical with long, hot summers. The fall and spring are warm and

usually free of a killing frost. Winters are usually mild and cool, but temperatures occasionally drop to the lower teens. The lowest temperature recorded in 1989 was 10 degrees F. The average frost-free period is 264 days and extends from February 27 to November 18. The average annual rainfall is 65 inches, but amounts exceeding 87 inches have been recorded.

B. Vegetation

The marsh habitat consists predominantly of bull-tongue amongst a cypress-gum forest. Other freshwater plants include pickerel weed, maidencane, alligatorweed, pennywort, lotus, white waterlily, primrose, water hyacinth, cattail, bulrush, beggartick, cut-grass, spikerush, and several species of sedges. The marsh vegetation contains some maidencane. Submerged plants such as cabomba, coontail, southern niad, hydrilla, and pondweed are common. Much of the refuge is located in an area south of U.S. Highway 90 (Future Interstate 49). This marsh has not been grazed by cattle, but has received various levels of logging and farming activity through time. Today, it is dominated by a maturing forest with open ponds filled with submergent and emergent vegetation, making it highly attractive to both bears and migratory water birds.

The natural levee and spoil banks of the man-made canals are vegetated by willow, hackberry, Nuttall oak, water oak, green ash, and swamp red maple. The low swamp areas are dominated by cypress and tupelo gum. The oil field canals in the marshes are lined by willow and cypress. Buttonbush is common in the intergradational areas between swamp and marsh.

C. Land Use

Oil and gas fields are located within the proposed boundary of the project area. They are old fields and their production is declining. Several wells have been plugged and abandoned, but others are still producing. The oil companies maintain a network of canals that provide access to the wells. These waterways are also used by hunters and fishermen.

This area of coastal Louisiana produces a large populations of nutria but has not historically been used for trapping. It also contains a high alligator population, which also is harvested under state regulations.

Tourism is a lucrative proposition in the basin. Several “swamp tour” businesses have been established in surrounding communities.

D. Wildlife Resources

The area’s biological diversity is high. Along with providing year-round bear habitat, the refuge area provides critical spring and fall habitat for neotropical migratory birds. According to the

Louisiana Department of Wildlife and Fisheries, the area's freshwater marshes attract thousands of migratory water birds, including mallards, blue- and green-winged teal, gadwalls, wigeons, and mottled ducks. Wood ducks are common, both as migrants and breeders. Mottled ducks commonly nest here. American coots heavily use this part of coastal Louisiana, as do several other species of rails and gallinules. Pintails, lesser scaup, geese, and shovelers are also found. It is not uncommon for this general area to reach peaks of 75,000 or more ducks. Waterfowl surveys indicate that waterfowl use continues to be high; however, hunting pressure is increasing and wintertime fishing also disturbs wintering waterfowl.

Wading birds also used the area in significant numbers. Species observed include white ibis, great egret, little blue herons, snowy egrets and tricolored herons. A few roseate spoonbills have also been seen in this area.

Woodcock and many species of passerine birds are suspected as using the natural ridges. Some passerine birds use the swamps for both breeding and wintering. Shorebirds also frequent the area. The area's marshes also support high populations of nutria and alligator, of which alligators are harvested annually by hunters. A significant deer population is also present.

E. Fishery Resources

Freshwater sportfishing for largemouth bass, crappie, sunfishes and catfish is popular and commercial fisherman catch catfish and gar. The oil field canals in the refuge provide aquatic habitat and are vegetated extensively. This variety of vegetative cover provides an abundance of food and cover for species associated with the aquatic food chain and therefore produces a yield of sport fishes adequate for public use.

It is expected that fishing pressure will remain the same or increase slightly in the future. The Service expects to control water hyacinths on the property. Controlling the water hyacinths will allow greater access and better fishing opportunities.

F. Cultural Resources

Section 106 of the National Historic Preservation Act of 1966, as amended, requires the Service to evaluate the effects of any of its actions on cultural resources (historic, architectural and archeological properties) that are listed or eligible for listing in the National Register of Historic Places (NRHP). In accordance with the regulations under Section 106, the Service consulted with the State Historic Preservation Officer (SHPO) of the Louisiana Department of Culture, Recreation and Tourism. See the attached letter of concurrence date May 4, 1999.

Sport fishing will not have an effect on the cultural resources found on the refuge.

In accordance with Section 106, the Service believes, and the SHPO concurs, that the refuge will have no affect on any known or yet-to-be identified NRHP-eligible cultural resources.

IV. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

Opening Bayou Teche NWR to sport fishing for largemouth bass, sunfishes and other fish species is an acceptable, traditional form of wildlife oriented recreation. The Secretary of the Interior is authorized by the National Wildlife Refuge System Administration Act of 1966 as amended, and the Refuge Recreation Act of 1962 to permit sport fishing on any refuge if it is compatible with the major purposes for which the refuge was established.

The refuge will be managed to conform to refuge objectives. If needed to protect denning bears, the entire refuge will be closed to sport fishing during the winter months. Other management units within the refuge may be opened or closed year-round to sport fishing depending upon the opportunities and conflicts which may arise depending upon the particular management scheme that is in place during the year.

B. No Action Alternative

The beneficial impacts of the alternatives would include greater protection of endangered species as well as other wildlife, less litter and less disturbance to migratory wildlife and resident bird populations. Water birds would be able to utilize the restrictions. Also there would be no impact on other refuge programs both present and in the future. This alternative would result in a reduction in public use activity and would not permit a harvest of a renewable resource. There would also be less impact on all wildlife on the refuge due to angler disturbance.

C. Close Specific Areas to Fishing Year-round

Under this alternative, the U. S. Fish and Wildlife Service would close predetermined areas to sport fishing for the entire fishing season. As in the no action alternative this would impact the public by not providing recreational opportunities for sport fishing. If the fishing activity is compatible with the purposes for which the refuge was established and is consistent with the principles of sound fisheries management, and in the public interest these areas should be opened.

D. Open Entire Refuge to Fishing Year-round

This alternatives would not take into consideration refuge objectives and the purpose for which

the refuge was established. Also, sport fishing may conflict with other wildlife-oriented public use programs. Time and space management may have to be accomplished to ensure the opportunity for a quality experience for both anglers and other refuge users.

V. CONSULTATION AND COORDINATION WITH OTHERS

Numerous contacts were made throughout the area of the refuge soliciting comments, views, and ideas into the development of the accompanying sport fishing plan. The Louisiana Department of Wildlife and Fisheries concurs and fully supports the regulated consumptive public use of the natural resources associated with the Bayou Teche NWR. A letter of concurrence supporting this proposal was received from The Department of Wildlife and Fisheries and is included as part of this document in the “Letters of Concurrence” section.

The Fish and Wildlife Service also provided an in depth review by the Regional Office personnel and staff biologists.

Attachment 1

Bayou Teche National Wildlife Refuge Refuge Objectives

- a. To protect important habitat utilized by the threatened Louisiana Black Bear.
- b. To provide habitats for wintering waterfowl and woodcock.
- c. To provide habitat for non-game neotropical migratory birds.
- d. To provide nesting habitat for wood ducks.
- e. To provide habitats for a diversity of wildlife.
- f. To provide quality sport fishing opportunities.
- g. To provide opportunities for environmental education, interpretation, and wildlife-oriented recreation.

FINDING OF NO SIGNIFICANT IMPACT

Bayou Teche National Wildlife Refuge Sport Fishing Plan

The U.S. Fish and Wildlife Service proposes to open Bayou Teche NWR to sport fishing. Sport fishing activities will be permitted, but administratively limited to those areas specified in the refuge-specific regulations. All or parts of the refuge may be closed to sport fishing at any time if necessary for public safety, to provide wildlife sanctuary, or for other reasons. Alternatives considered included: proposed action, no action, close specific areas to sport fishing, or open entire refuge to sport fishing.

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

- A. No action alternative - under this alternative, Bayou Teche NWR would not be open to sport fishing.
- B. Close specific areas to sport fishing - under this alternative, the Service would provide variable sport fishing opportunities throughout the sport fishing seasons.
- C. Open entire refuge to sport fishing - under this alternative, the Service would provide sport fishing opportunities throughout the sport fishing seasons.

The preferred alternative was selected over the other alternatives because:

- A. The preferred alternative would allow the public to harvest a renewable resource, promote a fisheries-oriented recreational opportunity, increase awareness of Bayou Teche NWR and the National Wildlife Refuge System, and meet public demand.
- B. The preferred alternative is compatible with general Service policy regarding the establishment of sport fishing on National Wildlife Refuges.
- C. The preferred alternative is compatible with the purpose of which Bayou Teche NWR was established.
- D. This proposal does not initiate widespread controversy or litigation.
- E. 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:

- A. This would allow the public to harvest a renewable resource.
- B. The public would have increased opportunity for fisheries-oriented recreation.
- C. St. Mary Parish would benefit from sport fishermen visiting from surrounding parishes.
- D. The Service will be perceived as a good steward of the land by continuing traditional uses of land in South Louisiana.
- E. To maintain healthy resident fish populations.

Measures to mitigate and/or minimize adverse effects have been incorporated into the

proposal. These measures include:

- No sport fishing will be allowed in the Franklin and Hanson Canals. These canals are frequently used by the public.
- Fishermen will be limited to boat access only. This will prevent major disturbance to black bears.
- Baiting or leaving of dead fish or fish parts on the refuge will be prohibited. Attractants work to decrease the secretive nature of black bears. Controlling the availability of attractants should nearly eliminate human-bear contacts.
- An aggressive refuge law enforcement program will ensure fishing 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 a use of recreational fishing 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, Lafayette, LA
- Louisiana Department of Wildlife and Fisheries, Office of the Secretary, Wildlife Division
- St. Mary Parish Government
- Miami Corporation (adjacent landowner)
- Jim Bailey (adjacent landowner)

Copies of the Environmental Assessment are available by writing:

Mandalay National Wildlife Refuge
3599 Bayou Black Drive
Houma, LA 70360

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 4 and 5).

2. The actions will not have a significant effect on public health and safety (EA, page 8).

- 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 4).**
- 4. The effects on the quality of the human environment are not likely to be highly controversial (EA, page 8).**
- 5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment (EA, page 8).**
- 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 8-9).**
- 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 8-9).**
- 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 4, 8 and 9).**
- 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 4 and 5).**

References: Environmental Assessment proposed opening of Bayou Teche NWR to hunting. St. Mary Parish, Louisiana, Hunting Plan, Compatibility Statement, Letters of Concurrence, Refuge-specific Regulations, Intra-Service Section 7 Biological Form

Regional Director

Date

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6. Refuge-Specific Regulations

Bayou Teche National Wildlife Refuge

Sport Fishing - Sport fishing is permitted subject to the following conditions:

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1. Any person entering, using or occupying the refuge must abide by all terms and conditions set forth in the appropriate refuge brochure.

Proposed Sportfishing Regulations to be included in free brochure.

1. Fishing and public access is permitted from sunrise to sunset from April 15 through November 15 in areas designated by refuge signs and/or brochures (with maps).

2. Fishing access is by boat only.

3. Outboard, inboard or other motorboats are allowed in refuge canals. No motorboats will be allowed in refuge marshes unless powered by electric trolling motors.

4. No trot lines, jug lines, or commercial fishing activities will be allowed. No fishing lines can be left over-night or unattended at any time

5. Boats may not be left on the refuge overnight.

6. All applicable state and federal fishing, public use and litter laws will be enforced on the refuge.

7. A map of the refuge will be attached that will designate closed areas as well as areas open to fishing.

UNITED STATES FISH AND WILDLIFE SERVICE

ENVIRONMENTAL ACTION MEMORANDUM

Within the spirit and intent of the Council on Environmental Quality’s regulations for implementing the National Environmental Policy Act (NEPA) and other statues, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of opening Bayou Teche National Wildlife Refuge to sport fishing:

_____ is a categorical exclusion as provided by 516 DM 6 Appendix 1. No further documentation will be made.

_____ is found not to have significant environmental effects as determined by the attached Environmental Assessment and Finding of No Significant Impact.

_____ is found to have special environmental conditions as described in the attached Environmental Assessment. The attached Finding of No Significant Impact will not be final nor any actions taken pending a 30-day period for public review (40 CFR 1501.4 (e) (2)).

_____ is found to have significant effects, and therefore a “Notice of Intent” will be published in the Federal Register to prepare and Environmental Impact Statement before the project is considered further.

_____ is denied because of environmental damage, Service policy, or mandate.

_____ is an emergency situation. 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:

1. Environmental Assessment
2. Compatibility Statement
3. Sections 7 Evaluation

Regional DirectorDate

Initiator Date ARD/Refuges and Wildlife Date

Associate Manager Date REC Date

Date

ARD/AWE

Date