

REGION 4

INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION FORM

[Note: This form provides the outline of information needed for intra-Service consultation. If additional space is needed, attach additional sheets, or set up this form to accommodate your responses.]

Originating Person: Dennis J. Widner, Central Arkansas Refuges

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Date: July 15, 2005

PROJECT NAME (Grant Title/Number): Provide public use and access into and within the Managed Access Area (MAA) on the Cache River National Wildlife Refuge.

I. Service Program:

Ecological Services

Federal Aid

Clean Vessel Act

Coastal Wetlands

Endangered Species Section 6

Partners for Fish and Wildlife

Sport Fish Restoration

Wildlife Restoration

Fisheries

Refuges/Wildlife

II. State/Agency:

Arkansas/ U.S. Fish and Wildlife Service

III. Station Name:

Cache River National Wildlife Refuge

IV. Description of Proposed Action (attach additional pages as needed):

To allow hunting, fishing, wildlife observation, wildlife photography, interpretation, and environmental education by boat, vehicle or foot into the Managed Access Area (MAA) of Cache River National Wildlife Refuge (refuge), in accordance with the National Wildlife Refuge System Improvement Act of 1997, other acts and laws. The following compatible activities: hunting, fishing, wildlife observation, wildlife photography, interpretation, and environmental education are allowed on the refuge and this proposed daily permit system will allow limited public access for these specified public use activities within the Managed Access Area.

The Service created the MAA to protect the Ivory-billed Woodpecker and initially closed the area to all public use. The MAA will be re-opened to limited public use. The MAA will be divided into 5 sub-units. The sub-units are as follows:

Sub-Unit A - Bayou DeView area from AR HWY 38 South to AR HWY 17

Sub-Unit B - Bayou DeView area from AR HWY 17 South to Dagmar WMA

Sub-Unit C - Robe Bayou area north of Dagmar WMA

Sub-Unit D - Bull Lake Area

Sub-Unit E - Area South of US HWY 70

A map of the MAA along with the sub-units is attached to this Section 7 biological evaluation.

Daily permits will be issued for each individual sub-unit within the MAA on a first come basis. The permits will be equally divided between consumptive (hunters & fishermen/women) and non-consumptive (birding/wildlife observation/photography) users. The number of permits will be as follows for each sub-unit:

Unit A – five for each category for a total of 10 daily permits.

Unit B – three for each category for a total of 6 daily permits.

Unit C – ten for each category for a total of 20 daily permits.

Unit D – ten for each category for a total of 20 daily permits.

Unit E – ten for each category for a total of 20 daily permits.

No guiding will be allowed in the MAA. This includes all guiding (hunting, fishing, or wildlife observation). There will be no commercial fishing allowed in the MAA as well.

Permits may be picked up at the refuge office beginning the day prior to the permit use day and will only be issued for one day at a time. Permits for Saturday and Sunday may be picked up only on the preceding Friday. The daily permits are non-transferable and must be picked up in person. Valid hunting or fishing license must be displayed by persons requesting a consumptive use permit and the appropriate hunting or fishing gear must be possessed in the field. Consumptive use permit holders must comply with all refuge season dates and must adhere to all state, refuge and federal laws/regulations. USFWS employees are not eligible for daily permits for units A and B.

The permit system may be modified or curtailed at any time to address impacts, to facilitate continued IBW research and surveys, or other management or protection concerns.

- V. Pertinent Species and Habitat:**
 - A. Include species/habitat occurrence map:**
See attached map

B. Complete the following table:

SPECIES/CRITICAL HABITAT	STATUS ¹
Ivory-billed Woodpecker (<i>Campephilus principalis</i>)	E = Endangered

¹STATUS: E=endangered, T=threatened, PE=proposed endangered, PT=proposed threatened, CH=critical habitat, PCH=proposed critical habitat, C=candidate species

VI. Location (attach map):

A. Ecoregion Number and Name:

Ecosystem Area I, Ecosystem 27: Mississippi Alluvial Valley

B. County and State:

Jackson, Woodruff, Prairie, Monroe Counties

C. Section, township, and range (or latitude and longitude):

Various holdings in T1N R3W, T1N R4W, T2N R3W, T2N R4W, T3N R2W, T3N R3W, T3N R4W, T4N R2W, T4N R3W, T4N R4W, T5N R2W, T5N R3W, T5N R4W, T6N R2W, T6N R3W, T7N R1W, T7N R2W, T7N R3W, T8N R1W, T8N R2W, T8N R3W, T9N R1W, T9N R2W, T10N R1W, and T11N R1W, of the 5th Principal Meridian.

D. Distance (miles) and direction to nearest town:

Large holdings of Cache River NWR are 1 mile northwest of Clarendon, 2 miles southeast of Biscoe, 3 miles north of Brasfield, 7 miles southwest of Brinkley, 1 mile east of Dixie, and 4 miles southwest of McCrory, Arkansas.

E. Species/habitat occurrence:

Ivory-billed Woodpecker: “Almost all of the Ivory-bill records in the Mississippi Delta occur in the first bottoms outside of the backwater and swamp areas.” (The Ivory-billed Woodpecker, James Tanner, 1942, pg. 15) Tanner (1942, pg. 16) stated that the Ivory-bills tended to utilize sweet gum-oak forests dominated by sweet gum, Nuttall oak and green ash tree species. Tanner (1942, pg. 16) also mentioned that the Ivory-bills were found in Cypress-tupelo swamps in the Mississippi Delta region.

II. Determination of Effects:

A. Explanation of effects of the action on species and critical habitats in item V.

B (attach additional pages as needed):

SPECIES/ CRITICAL HABITAT	IMPACTS TO SPECIES/CRITICAL HABITAT
Ivory-billed Woodpecker	The IBW has only been observed within the MAA (see attached map) portion of the refuge. Only sixteen sightings occurred in over 20,000 hours of surveying for the IBW, so the likelihood of undue disturbance or even one actual sightings by this limited number of visitors is very low. However, every sighting is important and these visitors may provide a valuable service, crucial information and photographs to the refuge. Another potential positive impact is that these legal visitors to the area will serve as a deterrent to any individual who may wish to do the IBW harm due to the increased risk of being seen and reported.

B. Explanation of actions to be implemented to reduce adverse effects:

SPECIES/ CRITICAL HABITAT	ACTIONS TO MITIGATE/MINIMIZE IMPACTS

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Ivory-billed Woodpecker	<p>The refuge established the MAA which is currently considered the refuge lands of utilization by the IBW. Access to this area is currently limited to researchers with the appropriate refuge and endangered species permits. The refuge has placed signs around the boundaries of the MAA to inform the public of restrictions. The refuge has printed a map for the public that illustrates the boundaries of the MAA. Additionally, although presently in the planning stage, the AG&FC and FWS plans to launch a public awareness and educational initiative prior to hunting season. Tentative plans currently include woodpecker and duck identification plates in hunting and public use brochures and other public use documents, IBW signs at refuge entrance points, and other public awareness such as programs at civic clubs and press releases. The limited public daily permit system for the MAA will not increase disturbance to the IBW due to the very low sighting incidence. Positive impacts as outlined in the preceding section are predicted to be much more likely to occur than any negative impact.</p>

VIII. Effect Determination and Response Requested:

SPECIES/ CRITICAL HABITAT	DETERMINATION ¹			RESPONSE ¹ REQUESTED
	NE	NA	AA	
Ivory-billed Woodpecker		X		

¹DETERMINATION/RESPONSE REQUESTED:

NE = no effect. This determination is appropriate when the proposed action will not directly, indirectly, or cumulatively impact, either positively or negatively, any listed, proposed, candidate species or designated/proposed critical habitat. Response Requested is optional but a "Concurrence" is recommended for a complete Administrative Record.

NA = not likely to adversely affect. This determination is appropriate when the proposed action is not likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat or there may be beneficial effects to these resources. Response Requested is a "Concurrence".

AA = likely to adversely affect. This determination is appropriate when the proposed action is likely to adversely impact any listed, proposed, candidate species or designated/proposed critical habitat. Response Requested for listed species is "Formal Consultation". Response Requested for proposed or candidate species is "Conference".

signature (originating station)

date

title

IX. Reviewing Ecological Services Office Evaluation:

A. Concurrence _____ **Non-concurrence** _____

B. Formal consultation required _____

C. Conference required _____

D. Informal conference required _____

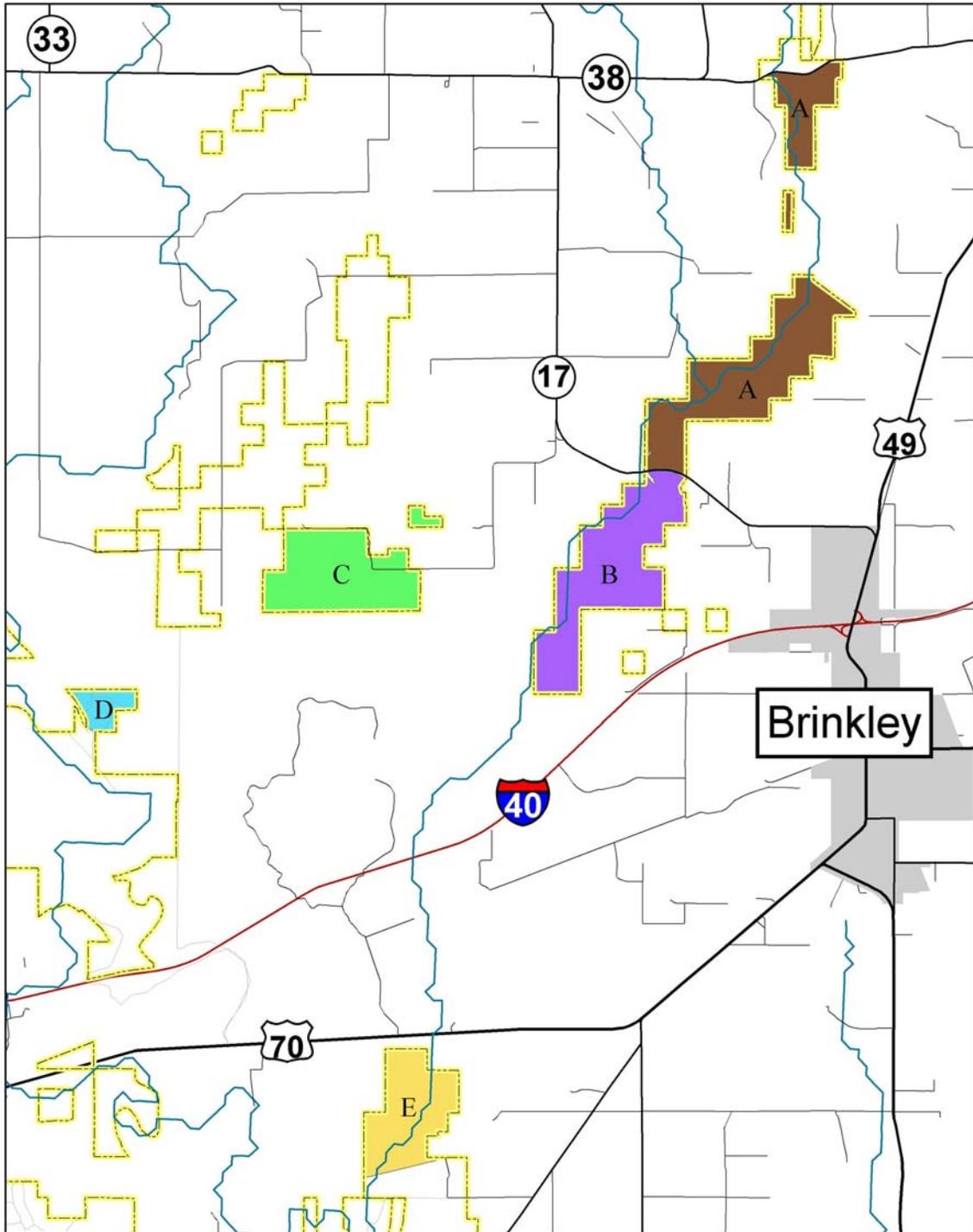
E. Remarks (attach additional pages as needed):

signature

date

title

office



Legend

Refuge Lands



Sub Units

