

COMPATIBILITY DETERMINATION

Use: Public access and use of the Cache River National Wildlife Refuge Managed Access Area. Public use includes hunting, fishing, wildlife observation, wildlife photography, interpretation, and environmental education.

Refuge Name: Cache River National Wildlife Refuge, Augusta Arkansas

Counties: Woodruff, Monroe.

Establishing and Acquisition Authority(s): Emergency Wetlands Act; Migratory Bird Conservation Act; Fish and Wildlife Act of 1956

Refuge Purpose(s):

"... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. 715d (Migratory Bird Conservation Act)

"... the conservation of the wetlands of the Nation in order to maintain the public benefits they provide and help to fulfill international obligations contained in various migratory bird treaties and conventions ..." 16 U.S.C. 3901 (b) (Emergency Wetlands Resources Act of 1986)

"... for the development, advancement, management, conservation, and protection of fish and wildlife resources..." 16 U.S.C. 742f (a) (4)

"... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ..." 16 U.S.C. 742(b) (1) (Fish and Wildlife Act of 1956)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans" (National Wildlife Refuge System Administration Act of 1966, as amended) 16 U.S.C. 668dd-668ee.

Description of Use:

To allow hunting, fishing, wildlife observation, wildlife photography, interpretation, and environmental education on the Cache River National Wildlife Refuge (refuge) Managed Access Area (MAA) through a daily permit system. On April 28th 2005 Secretary of Interior Gale Norton announced the rediscovery of the endangered Ivory-billed

Woodpecker (*Campephilus principalis*), once thought to be extinct by many birding authorities, on Cache River NWR. The Ivory-billed Woodpecker (IBW) was observed using a section of refuge land along Bayou DeView near Cotton Plant, Arkansas. Immediate measures including the establishment of an IBW Managed Access Area (MAA) and closure of the MAA to the public occurred to protect the IBW simultaneously with the public announcement of the discovery. This Compatibility Determination (CD) addresses the re-opening of the refuge land within the MAA to limited public use. This CD will be attached as an addendum to current public use plans such as the Hunting and Fishing Plans to provide the conditions and stipulations for public use to occur specific to the MAA. 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 included within this CD.

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 (hunting/fishing) and non-consumptive (birding/wildlife observation/photography) users. The number of permits will be as follows for each sub-unit:

Unit A – Five per category for a total of 10 daily permits.

Unit B – Three per category for a total of 6 daily permits.

Unit C – Ten per category for a total of 20 daily permits.

Unit D – Ten per category for a total of 20 daily permits.

Unit E – Ten per category for a total of 20 daily permits.

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

Permits may be picked up at the Cache River NWR office beginning the day prior to use and will be issued for only one day at a time. Permits for Saturday and Sunday will only be available on the preceding Friday. The daily permits are non-transferable and must be picked up in person by the holder. A valid hunting or fishing license will be required to obtain a permit for consumptive use permits and the appropriate hunting or fishing equipment must be possessed in the field. Consumptive use permits for hunting will only be valid during refuge open seasons and permit holders must adhere to all applicable state, refuge and federal laws and regulations. USFWS employees are not eligible for daily permits for sub-units A and B.

This permit system may be modified or curtailed at any time to address any unforeseen impacts, to facilitate continued research and survey projects for the IBW, or for any other management or protection concern.

Availability of Resources: Adequate funding and staff exist to initiate the MAA public use program. However, during peak visitation periods, the current funding and staff will have to be augmented to administer the permit system and to provide adequate law enforcement coverage. It should be pointed out that the additional funding and law enforcement personnel would be required without the MAA public use program in order to provide guidance to the increased number of birders expected to visit the refuge and to police the MAA during peak visitation periods. The FWS is already planning for the additional resources to be required in the future.

Anticipated Impacts of the Use:

Wildlife dependent recreation has historically occurred since Cache River NWR was established. The majority of recreational use on the refuge has been comprised of hunting (waterfowl, deer, squirrel, and raccoon) and fishing. With the discovery of the IBW, non-consumptive use is anticipated to increase and rival refuge visitation by hunters and fishermen/women. All public use categories will be comprised of visitors from the local area, across the nation and beyond. In order to re-open the refuge lands within the MAA to public use opportunities, the limited daily permit system is being established which will control visitor numbers and drastically limit the potential of disturbance or other negative impacts to the endangered IBWO. Conversely, by allowing limited public use under the daily access permit system, positive impacts may occur through the refuge securing information on sightings and photographic verification of IBWs. Also, the knowledge that the public is allowed in the MAA and may see, identify and report any person who would commit any act detrimental to the IBW will help control the actions of the minute segment of the public who would do the IBW harm, if given the opportunity. Keeping the MAA closed to all public use increases the opportunity for anyone wanting to do harm to the IBW to do so by reducing their risk and likelihood of detection, thus allowing public use serves as a deterrent.

Public Review and Comment:

This draft Compatibility Determination for public use within the MAA will be announced as available for review and comment through a statewide distributed newspaper public notice and be available on the refuge website. Interested members of the public can also obtain copies of this draft from the refuge office upon request.

Determination (check one below):

Use is Not Compatible

Use is Compatible With Following Stipulations

**Stipulations Necessary to Ensure Compatibility:
Limitation of public use as provided in this CD.**

NEPA Compliance for Refuge Use Decision

Categorical Exclusion without Environmental Action Statement (516 DM 2, Appendix 1, 1.4, B.(2)- is a routine recurring management activity which results in no changes in the use and has negligible environmental effects on-site or in the vicinity of the site)

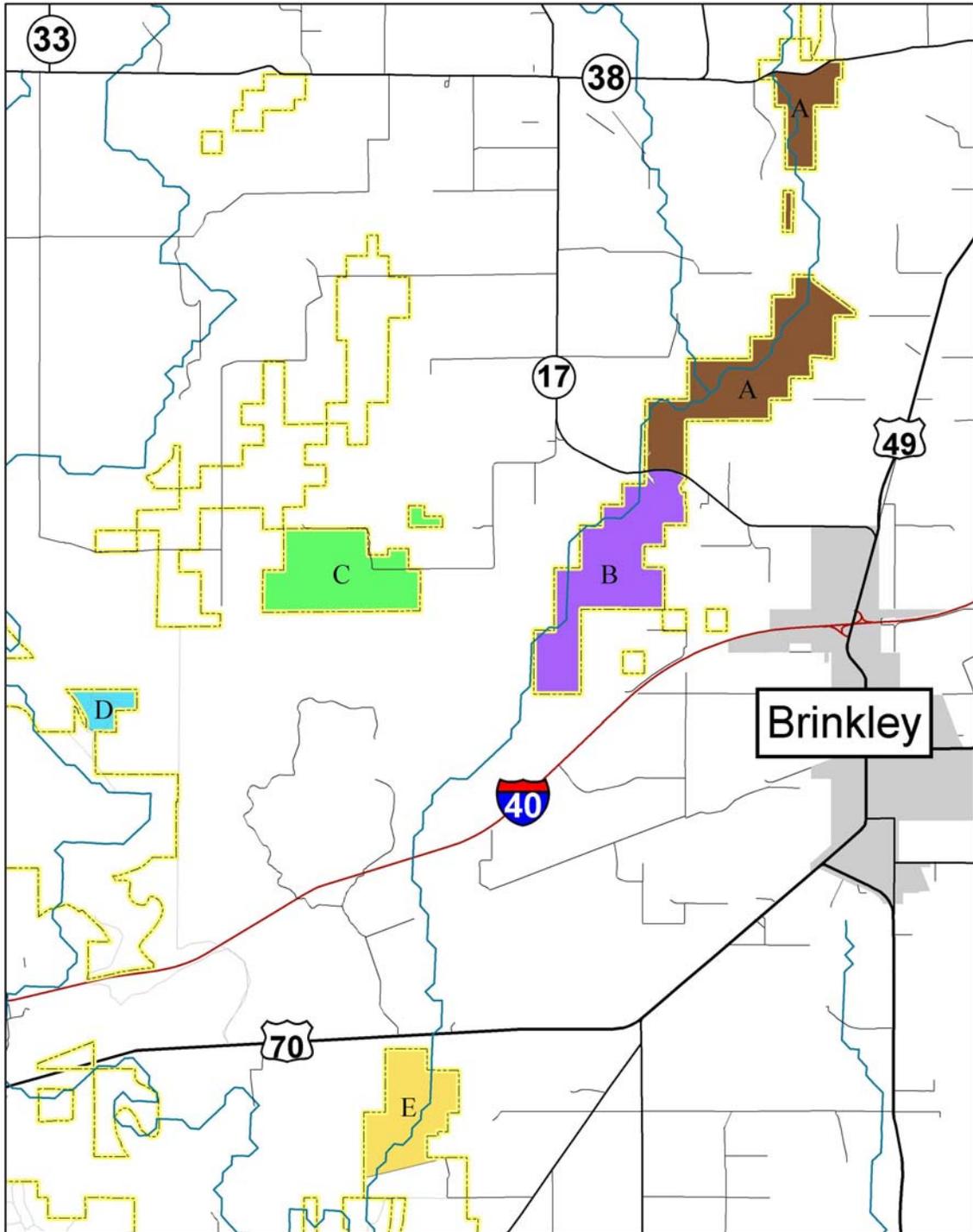
Categorical Exclusion and Environmental Action Statement

Environmental Assessment and Finding of No Significant Impact

Environmental Impact Statement and Record of Decision.

Justification:

Public use within the MAA will encompass all of the six priority public uses outlined by the National Wildlife Refuge System Improvement Act of 1997. The daily permit system will allow public use to be re-authorized in the MAA with controls to prevent potential negative impacts. Allowing limited public use may have positive impacts by increasing knowledge of IBWs on the refuge and deter any harmful acts to the bird.



Legend

Refuge Lands



Sub Units

