

Pre-Acquisition Compatibility Determinations (CDs) for PROPOSED Kankakee National Wildlife Refuge and Conservation Area:

Pre-acquisition Compatibility of Wildlife Dependent Uses (Hunting, Fishing, Wildlife Observation and Photography, Environmental Education and Interpretation) occurring on lands within the proposed Kankakee National Wildlife Refuge and Conservation Area (Kankakee NWR&CA)

Pre-acquisition Compatibility of Collection of Edible and Medicinal Plants and Plant Materials occurring on lands within the proposed Kankakee National Wildlife Refuge and Conservation Area (Proposed Kankakee NWR&CA).

Proposed Kankakee National Wildlife Refuge and Conservation Area Compatibility Determination (Pre-acquisition)

Use: Pre-acquisition Compatibility of Wildlife Dependent Uses (Hunting, Fishing, Wildlife Observation and Photography, Environmental Education and Interpretation) occurring on lands within the proposed Kankakee National Wildlife Refuge and Conservation Area (Kankakee NWR&CA).

Refuge Name: Proposed Kankakee National Wildlife Refuge and Conservation Area

Establishing and Acquisition Authorities:

Lands acquired by the U.S. Fish and Wildlife Service (Service) for the proposed Kankakee NWR&CA would be purchased under the authority of the Fish and Wildlife Act of 1956 and the Emergency Wetland Resources Act of 1986.

Refuge Purposes:

"for the development, advancement, management, conservation, and protection of fish and wildlife resources" (Fish and Wildlife Act of 1956) and

"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..." 16 U.S.C. §3901(b), 100 Stat. 3583 (Emergency Wetlands Resources Act of 1986).

National Wildlife Refuge System Mission:

The mission of the 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.

Description of Use:

The use being reviewed is the continuance of six wildlife-dependent recreational uses that are considered priority uses outlined in the National Wildlife Refuge System Improvement Act of 1997, showing the Service's commitment to providing access for hunting and other wildlife-dependent activities on our lands. These uses are hunting, fishing, wildlife observation and photography, and environmental education and interpretation. All six priority uses, including hunting, have been pre-determined to be appropriate uses of refuge lands, thus negating a requirement for an "appropriateness review" to which non-priority uses are subjected. As parcels presented to the Service by willing sellers or donors are being considered to become part of the proposed Kankakee NWR&CA, we will identify which of these priority public uses are currently occurring on these lands and whether these uses can safely continue under Service ownership without adverse impacts to adjacent properties owned by others. The acquisition of easements from willing landowners or donors is also being proposed by the Service within the focal areas of the proposed Kankakee NWR&CA. Acquiring an easement generally does not give the Service rights to manage these recreational uses, because typically the ability to control public access is reserved by the landowner.

All activities on the proposed Kankakee NWR&CA lands would follow applicable local, state, and federal laws, except where the Service designates additional restrictions to ensure compatibility with the purposes of the proposed Kankakee NWR&CA. Pre-existing bank fishing would be continued on a case-by-case basis under state regulations. We generally open new lands for hunting when we have acquired manageable units and when those units can biologically, ecologically, and safely accommodate hunting within state guidelines. Only non-toxic shot would be used or possessed where hunting migratory bird and upland game, including turkey, with a shotgun is allowed.

General public access during anytime of the year to open areas of the proposed Kankakee NWR&CA for the observation and photographing of plants and animals, and for environmental education and interpretation would occur during daylight hours. Allowable forms of access include hiking, snowshoeing and cross-country skiing. Horses, all-terrain vehicles, off-road vehicles, snowmobiles, and jet skis would not be allowed. Entry to any or all portions of the proposed Kankakee NWR&CA may be suspended in the case of unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety. Any closures would be accompanied by appropriate signage and notifications. Access for wildlife observation and photography, and environmental education and interpretation will allow public access for enjoyment of scenic views and an array of wildlife including waterfowl, other migratory birds, resident wildlife, tallgrass prairies, oak savannas, wetlands and riverine habitats. Wildlife refuges provide opportunities for wildlife enjoyment by the public, not usually available on adjacent private land. Environmental education and interpretation activities enhance the participant's knowledge and appreciation of fish and wildlife ecology and lead to increased public awareness of the ways healthy wildlife populations and natural habitats benefit present and future generations.

Increased public awareness of natural and cultural environments by providing these six pre-existing wildlife-related recreational opportunities for people promotes stewardship of our natural resources and increases public appreciation and support for the proposed Kankakee NWR&CA, exposes them the Refuge System and its mission.

Is the use a proposed new use or an existing use?

All six uses are known to occur on the public and private lands within the proposed Kankakee NWR&CA boundary. Hunting and fishing occur throughout the rural open lands of the area on public and private lands on a limited basis. The majority of the fishing occurs along the Kankakee River. Wildlife observation and photography is enjoyed by local residents on private and public lands. Environmental Education and Interpretation is primarily limited to programs sponsored by local conservation and school initiatives.

Is the use a priority public use?

Hunting, fishing, wildlife observation and photography, and environmental education and interpretation are the six priority wildlife-dependent recreational uses under the National Wildlife Refuge System Improvement Act of 1997.

Availability of Resources:

What resources are needed to properly and safely administer use?

Visitors that come to participate in these six priority public uses would access the area via public roads. Parking lots and hiking trails may be present or developed in the future on some sites to facilitate these uses. Boundary markers will also be necessary to prevent inadvertent trespass on adjacent private land.

Are existing refuge resources adequate to properly and safely administer the use?

The proposed Kankakee National Wildlife Refuge and Conservation Area could be administered in several ways depending on the pace of refuge and conservation area development. In beginning stages, it would probably be managed as a satellite by staff from nearby refuges or other Service offices. Specific parcels could also be managed through formal cooperative agreements with the State of Illinois, or with local government or non-government conservation agencies. As the land base increases, the complexity of habitat management and administration also increases, and the proposed Kankakee NWR&CA would probably be assigned its own funding, equipment, and staff.

Anticipated Impacts of the Use:**How does the use affect refuge purposes, the Refuge System mission, and refuge goals and/or objectives?**

The continuation of existing wildlife-dependent recreational use is consistent with the purposes of the proposed Kankakee National Wildlife Refuge and Conservation Area, the mission of the Refuge System and the goals and objectives of area.

Hunting is consistent with the wildlife management principles of harvestable surplus and carrying capacity. In the short-term, hunting causes mortality of target species with the intent of harvesting populations to the carrying capacity of existing habitat. By limiting take to harvestable surplus, we can ensure the long-term health and survival of game species, populations, and their associated ecosystem. The presence and activity of hunters may cause disturbance to other wildlife in the area, but these impacts are minor and temporary. There is the potential to impact non-target species that are sensitive to disturbance, especially during spring turkey hunts when many animals are breeding or nesting. For visitors, non-hunting public uses may be temporarily disrupted or postponed during hunt events. Visitor safety is the highest priority when designing and planning all hunting activities on refuges. Vehicle traffic will increase slightly in the area during hunting season, and the sound of gun shots will temporarily reduce the serenity for the non-hunting public. Loss of vegetation from foot traffic is minor or temporary. Soil and plant disturbance may occur in ingress and egress routes but will be minor and temporary because of the limited and controlled use associated with the managed hunts.

No adverse long-term impacts from hunting are anticipated as wildlife populations are monitored through by federal and state officials that set the harvest limits. Long-term beneficial impacts of this use include the ability to manage targeted wildlife populations to levels that fall within the carrying capacity of the ecosystem. When deer populations grow beyond a sustainable limit, they can have profound negative impacts to the local environment, native plants, and other wildlife species. There are no anticipated cumulative impacts from hunting. Harvest would be limited by management and would fall within the state's population management goals, which are based on the best available science. All hunts would follow all applicable laws, regulations, and policies including title 50 of the Code of Federal Regulations, the U.S. Fish and Wildlife Service Manual, the mission and goals of the Refuge System, and the purposes, goals, and objectives of proposed Kankakee NWR&CA. Careful management of this public use maintains the safety of the area's citizens, contributes to the its wildlife and habitat goals, and supports several of the primary objectives for the area.

Fishing is a great way to introduce young people to the outdoors and to the values of our natural resources. Regulated fishing poses no appreciable impact on the natural resources on the proposed Kankakee NWR&CA. Damage to habitat by foot traffic could be one potential short-

term impact and would be limited to developed or designated fishing waterfront areas. There are minor wildlife impacts when anglers inadvertently disturb duck broods, shorebirds, or other wildlife in and around the water.

We predict that the impacts of wildlife observation and photography uses will be minimal. Access is typically by individuals or small groups on foot or using snowshoes or skis along established trails. Damage to vegetation from walking is minimal and temporary. Visitors typically use established foot trails with little impact on vegetation. There is some temporary disturbance to wildlife due to presence of humans, such as flushing a nesting bird. The sporadic and limited use by the public should not create unreasonable impacts. Winter activities pose no impacts to waterfowl and little impact to vegetation. The winter disturbance to resident wildlife is also temporary and minor. Any unreasonable wildlife harassment would be grounds for restricting access or closing areas to these uses.

Providing an opportunity to hunt, fish, watch wildlife, wildlife photography at proposed Kankakee NWR&CA promotes the Service mission.

Public Review and Comment:

The opportunity for public review and comment are being provided by publishing this draft Compatibility Determination on the planning website for the proposed Kankakee NWR&CA. Copies will also be available for review in the local area. Comments will be received for 14 days beginning on May 9, 2016 through May 22, 2016.

Determination:

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

To ensure compatibility with the purposes of proposed Kankakee National Wildlife Refuge and Conservation Area and the mission of the National Wildlife Refuge System, wildlife-dependent recreational uses can occur on proposed Kankakee NWR&CA with the following stipulations:

1. All wildlife-dependent recreational uses must be conducted in accordance with local, state and federal regulations unless the U.S. Fish and Wildlife Service places additional restrictions on the activities to ensure compliance with all applicable laws, regulations, and policies.
2. Only non-toxic shot would be used or possessed where hunting migratory bird and upland game, including turkey, with a shotgun is allowed.
3. Wildlife-dependent recreational uses will be limited or excluded from areas containing sensitive or rare plant communities if that use would severely damage or extirpate the natural community type.
4. Wildlife-dependent uses will be subject to modification if on-site monitoring proposed Kankakee NWR&CA personnel uncover unanticipated negative impacts to natural communities, wildlife species, or their habitats.

5. Camping, overnight use, and fires are prohibited.
6. Harassment of wildlife and excessive damage to vegetation are prohibited.

Justification:

The National Wildlife Refuge System Improvement Act of 1997 specifies that these are the six priority uses of the National Wildlife Refuge System. As noted in the description of use and anticipated impact sections, the allowed priority uses will have overall minimal impact to fish and wildlife populations and associated habitat. Stipulations above will ensure proper control of the means of use and provide management flexibility should detrimental impacts develop. Allowing these uses also furthers the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife, and plant resources on land tracts.

Revised goals for the Refuge System were adopted on July 26, 2006 and incorporated into Part 601, chapter 1, (601 FW1) of the Service Manual (FWS, 2006). The goals include:

- “Provide and enhance opportunities to participate in compatible wildlife-dependent recreation (hunting, fishing, wildlife observation and photography, and environmental education and interpretation); and
- Foster understanding and instill appreciation of the diversity and interconnectedness of fish, wildlife, and plants and their habitats.”

Signature: Refuge Manager

(Signature and Date)

Concurrence: Regional Chief

(Signature and Date)

Mandatory 10-year or 15-year Re-Evaluation Date: _____

Proposed Kankakee National Wildlife Refuge and Conservation Area Compatibility Determination (Pre-acquisition)

Use: Pre-acquisition Compatibility of Collection of Edible and Medicinal Plants and Plant Materials occurring on lands within the proposed Kankakee National Wildlife Refuge and Conservation Area (Proposed Kankakee NWR&CA).

Refuge Name: Proposed Kankakee National Wildlife Refuge and Conservation Area

Establishing and Acquisition Authorities:

Lands acquired by the U.S. Fish and Wildlife Service (Service) for the proposed Kankakee NWR&CA would be purchased under the authority of the Fish and Wildlife Act of 1956 and the Emergency Wetland Resources Act of 1986.

Refuge Purposes:

"for the development, advancement, management, conservation, and protection of fish and wildlife resources" (Fish and Wildlife Act of 1956) and

"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..." 16 U.S.C. §3901(b), 100 Stat. 3583 (Emergency Wetlands Resources Act of 1986).

National Wildlife Refuge System Mission:

The mission of the 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.

Description of Use:

The use being reviewed is the continuance of harvesting plants or plant materials for food or medical use on lands within the focal areas where the Service is authorized to acquire land from willing sellers or donors. It is important to note that the acquisition of easement from willing landowners or donors is also being proposed by the Service within the focal areas of the proposed Kankakee NWR&CA. Acquiring an easement generally does not give the Service the right to manage harvest of plants, because typically the ability to control public access is reserved by the landowner.

The collection of edible and medicinal plants and plant materials occurs during daylight hours and generally involves individuals or small groups. Access to harvest sites is typically accomplished by walking from a parking area or public road. For some people, this is a traditional, family-oriented activity which provides an opportunity for those participating to collect wholesome foods while enjoying the natural environment. It may also take place in conjunction with other activities that are wildlife-dependent such as wildlife observation while hiking, and photography. For others it is a long-standing cultural tradition.

Is the use a proposed new use or an existing use?

Harvest of edible and medicinal plants and plant materials is an existing use within the focal areas of proposed Kankakee NWR&CA.

Is the use a priority public use?

No, collection of plants or plant materials for food or medicinal purposes is not a priority public use of the National Wildlife Refuge System.

Where would the use be conducted?

Harvest would occur throughout the focal areas of proposed Kankakee NWR&CA, in the uplands and along the river and wetland edges. Areas where edible and medicinal plants are found make up a small percentage of the entire focal area.

Entry to any or all portions of the proposed Kankakee NWR&CA may be suspended by management in the case of unusual or critical conditions affecting land, water, vegetation, wildlife populations, or public safety. Any closures would be accompanied by appropriate signage and notifications.

When would the use be conducted?

Harvest would occur during daylight hours and within areas open to the public whenever the plants are present. The actual season varies from year-to-year depending on temperatures and moisture.

How would the use be conducted?

Edible and medicinal plant materials are hand harvested by picking the products from the plant or gathering what has fallen to the ground, or by hand cutting. Access to harvest sites is accomplished by walking from a designated parking area or public roadway. Allowable forms of access to the refuge include hiking, snowshoeing, cross-country skiing. Horses, all-terrain vehicles, off-road vehicles, snowmobiles, and jet skis are not allowable means for accessing proposed Kankakee NWR&CA for this use. Spot checks of gatherers may be made to assess the harvest success and compliance with the rules.

Why is this use being proposed?

Access for gathering plant materials for food and medicinal purposes is a family and cultural tradition within the local communities in the proposed Kankakee NWR&CA and is a high priority for these individuals. Permitting this harvest allows the public to build a connection to the NWR&CA through personal outdoor experiences that engage the senses and foster an appreciation of the outdoors.

Availability of Resources:**What resources are needed to properly and safely administer use?**

The primary means of visitor access to the proposed Kankakee NWR&CA for gathering is public roads. Parking lots and hiking trails may be present on some sites to facilitate entry into the area for gathering. Boundary markers will also be necessary to prevent inadvertent trespass on adjacent private land.

Are existing refuge resources adequate to properly and safely administer the use?

The proposed Kankakee National Wildlife Refuge and Conservation Area could be administered in several ways depending on the pace of refuge and conservation area development. In beginning stages, it would probably be managed as a satellite by staff from nearby refuges or other Service offices. Specific parcels could also be managed through formal cooperative agreements with the State of Illinois, or with local government or non-government conservation agencies. As the land base increases, the complexity of habitat management and administration

also increases, and the new proposed Kankakee NWR&CA would probably be assigned its own funding, equipment, and staff.

Anticipated Impacts of the Use:

Historically, public participation in the collection of plant food and medicinal products or hand collecting plants or seeds has been low, and future participation is also expected to be low. The quantity and frequency of plants and plant products removed is not expected to significantly diminish wildlife food sources or jeopardize wildlife survival. It is also in the best interest of the individuals harvesting not to over harvest to maintain a sustainable supply.

Disturbance to wildlife may occur from people engaged in these activities, but the disturbance will be local, short-term, and not affect overall feeding, resting, and reproduction activities of wildlife. Wildlife is expected to move to ample adjacent habitat during the activity, and return shortly thereafter. Thus, this activity should not result in long-term impacts that adversely affect fish, wildlife, and plant resources of the refuge and conservation area.

How does the use affect refuge purposes, the Refuge System mission, and refuge goals and/or objectives?

This activity should not result in short or long-term impacts that adversely affect the purposes of the proposed Kankakee NWR&CA or the mission of the National Wildlife System. The opportunity for gathering plants and plant materials leads to the public enjoyment of outdoor activities and nature. Gathering is a great way to introduce people to proposed Kankakee NWR&CA and to the values of local natural resources. Although gathering is a non-priority public use, it offers participants exposure to the Refuge System and its mission. This activity also accompanies and supports a number of priority public uses including wildlife observation and photography, and it provides practical and applied environmental education.

Public Review and Comment:

The opportunity for public review and comment are being provided by publishing this draft Compatibility Determination on the planning website for the proposed Kankakee NWR&CA. Copies will also be available for review in the local area. Comments will be received for 14 days beginning on May 9, 2016 through May 22, 2016.

Determination:

Use is Not Compatible

Use is Compatible with the Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Harvest is allowed with a special use permit from the Service that outlines specific stipulations related to when, where, and how the harvest will be conducted.
2. Digging of plants or their roots is prohibited.
3. Cutting or damage to trees is prohibited.
4. No threatened, endangered or species of special concern may be harvested or cut.
5. Harvest will only be allowed in areas of proposed Kankakee NWR&CA that are open to the public. Staff will monitor this activity to ensure that gathering is done in modest quantities.

6. Harvest will occur during daylight hours only
7. Camping, overnight use, and fires are prohibited.
8. Harassment of wildlife and excessive damage to vegetation are prohibited.

Justification:

Harvest of edible or medicinal plants or plant materials is a non-priority recreational use of the Refuge System. Gathering these plants will not materially interfere with or detract from the purposes of proposed Kankakee NWR&CA. This activity facilitates the public appreciation of nature and the outdoors, and provides opportunities to learn about the U.S. Fish and Wildlife Service. It also reinforces and enhances the public's understanding of the natural environment and of the need for fish and wildlife conservation. The associated disturbance to wildlife is temporary and minor.

Signature: Refuge Manager _____
(Signature and Date)

Concurrence: Regional Chief _____
(Signature and Date)

Mandatory 10-year or 15-year Re-Evaluation Date: _____