

Upper Mississippi River National Wildlife and Fish Refuge
Established 1924
Compatibility Determination

Use: Fishing tournaments and other competitive fishing events

Refuge Name: Upper Mississippi River National Wildlife and Fish Refuge (Refuge)

Establishing and Acquisition Authority(ies):

The Upper Mississippi River Wildlife and Fish Refuge was established by Public Law No. 268, 68th Congress on June 7, 1924. This act authorized acquisition of lands for Refuge purposes. Additional lands acquired in fee title by the U.S. Army Corps of Engineers are managed as part of the Refuge under a 1963 Cooperative Agreement between the Department of the Army and the Department of the Interior.

Refuge Purpose(s):

“The Refuge shall be established and maintained (a) as a refuge and breeding place for migratory birds included in the terms of the convention between the United States and Great Britain for the protection of migratory birds, concluded August 16, 1916, and (b) to such extent as the Secretary of the Interior by regulations, prescribe, as a refuge and breeding place for other wild birds, game animals, fur-bearing animals, and for the conservation of wild flowers and aquatic plants, and (c) to such extent as the Secretary of the Interior may, by regulations, prescribe a refuge and breeding place for fish and other aquatic animal life.”

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.”

Description of Use:

Competitive fishing events, including professional tournaments and charity events, are common and growing on the Refuge and other parts of the Mississippi River and tributaries. The states have been regulating and issuing permits for this use in varying ways, and the Refuge, by choice, has not played an active role. The exact number of fishing tournaments on the Refuge is unknown due to differences on record keeping by the states. Records give some indication of use levels, however. In Minnesota, Pools 4-7, which includes the Refuge, there were 26 fishing tournaments permitted in 2003 involving 1,992 boats and 3,984 anglers. In Iowa, Pools 9-14, there were 125 fishing tournaments in 2002 involving 4,997 boats and nearly 10,000 anglers.

The tournaments are conducted by several groups including sport fishing businesses and corporations, competitive fishing organizations, non-profit groups, local governments, and sporting goods stores. Participant fees vary and prizes may be cash, merchandise, or none with proceeds going to charity. Competitive fishing is allowed throughout the year, but primarily occurs from spring through the fall of the year. Tournaments vary, but are typically two-day events held on weekends in a specific pool, involving an average of 50 boats. Usually, one tournament is held every weekend in each of the 12 pools within the Refuge from April through September. As many as three tournaments may be held on the same weekend within a single pool with a possible 300 boats participating.

All boats are required to be equipped with aerated live wells and all fish caught must be returned to the water following weigh-in. Access into certain areas is subject to seasonal or special case restrictions, such as closed areas, voluntary avoidance areas, or catch-and-release only areas.

The Refuge Comprehensive Conservation Plan (CCP) outlines more active involvement by the Refuge in competitive fishing events in accordance with existing Refuge System policy and regulations. This involvement would include meeting with the states to discuss the best strategies for implementing a Refuge permit system in concert with varying states' permitting procedures, and developing time, space, and capacity parameters on each pool to minimize impacts and conflicts.

Availability of Resources:

Tournament anglers use the existing network of roads to access the various areas of the Refuge for fishing. The Refuge provides numerous parking lots, boat ramps, platforms, signs and other facilities to assist anglers. However, most anglers access the river and the Refuge by boat ramps operated by others. The Refuge provides staff to maintain facilities, disseminate information, and enforce regulations. Fisheries management and tournament oversight is conducted by the four states' departments of natural resources (Illinois, Iowa, Wisconsin, and Minnesota).

Increased Refuge involvement as outlined in the CCP will increase overall costs of Refuge operations, including but not limited to, development and review of policy and procedure, yearly administration of permits in coordination with the states, and enforcement of permit conditions. In the short-term, existing staff is adequate if shifts in priorities and assignments are made to accommodate modest oversight of competitive fishing events. In the long-term, a comprehensive competitive fishing program, when combined with other new initiatives requiring permits, will require additional administrative and/or other personnel as identified in the Comprehensive Conservation Plan. Existing facilities (launch ramps) and other infrastructure are currently sufficient to accommodate this use.

Anticipated Impacts of the Use:

Competitive fishing activities may cause temporary disturbance to bald eagles, water birds, waterfowl, and other wildlife. To minimize disturbance some areas are closed to fishing during fall and winter when waterfowl and eagles concentrate. There is some concern that catch-and-release tournament fishing stresses and kills certain species of fish (such as bass), especially during summer, but the magnitude is unknown at this time and continues to be studied by the states and others. Fish are also released often long distances from where caught, and the effects of this relocation on overall survival and local or overall populations are unknown. Given continued monitoring of fishery populations by the states, it does not appear that tournaments have an impact on overall fish populations or health. Some shoreline erosion is caused by the wakes of larger and faster tournament boat wakes, but is minor compared to that caused by barges, annual high water events, floods and wind-driven wave action. Loss of vegetation and increase in turbidity occurs from boats running through shallow backwater areas.

There is potential for conflicts between competitive anglers and recreational anglers, especially for coveted fishing spots. In addition, there is potential for conflicts between competitive anglers and waterfowl hunters, especially during early seasons which may start September 1, and silent sport enthusiasts such as canoeists and kayakers.

Public Review and Comment:

A draft of this Compatibility Determination was included in the Draft Comprehensive Conservation Plan and Environmental Impact Statement (EIS) released May 1, 2005 for a 120-day comment period. It was also available during a subsequent 90-day review period on a supplement to the EIS released December 3, 2005. Public notification included notices in the Federal Register, media announcements, and 31 public meetings and workshops attended by more than 3,700 persons. Many comments on fishing tournaments were received and are found in Chapter 7 of the EIS, with a Service response. However, no comments specific to this determination were received.

Determination:

Use is Not Compatible

Use is Compatible with Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. All applicable state, federal, and Refuge regulations apply. Regulations and monitoring help ensure that harvest levels of competitive fishing do not have harmful long-term impact on fish populations.

2. Competitive fishing events will be regulated to have a minimal impact on other Refuge users. Time, space, and capacity parameters for each pool will be set in coordination with the states.
3. Existing or new Electric Motor Areas prohibit combustion engine driven watercraft in sensitive backwater areas (five areas, 1,852 acres).
4. Establish eight Seasonal Slow, No Wake Areas (March 16 to October 31) that require slower speeds and a prohibition of airboat and hovercraft operation in important backwater areas (9,720 acres).
5. A series of linear Slow, No Wake Zones for safety and/or to protect shorelines are in place.
6. Maintain a network of Waterfowl Hunting Closed Areas which provide resting and feeding areas for waterfowl during fall migration with provision for voluntary avoidance on large closed areas and no motors on small areas to limit disturbance. A threshold of disturbance will also be in place should voluntary measures not prove effective.
7. All sponsors of competitive fishing events that use the Refuge must notify the Refuge in advance.
8. Event elements, such as collection of fees, fish weigh-in, and award programs, will not be held on Refuge lands or facilities.
9. No more than 25% of any Refuge parking lot or boat landing shall be occupied by competitive anglers to ensure that the public has adequate use of this same area.

Justification:

Accommodating this wildlife-dependant use is expected to result in minimal impacts. Although competitive events causes mortality to fish, catch and release practices, state regulations and permit stipulations, and Refuge stipulations and oversight, will be set with the long-term health of fish populations in mind. Populations of most species are regularly monitored by state agencies. Survey information indicates that controlled and monitored competitive fishing events will not adversely affect overall fish population levels.

Disturbance to wildlife may also result from fishing activity. This disturbance is expected to be limited in scope and duration. Because it is proposed that the public practice voluntary avoidance in Waterfowl Hunting Closed Areas during the duck hunting season, disturbance to waterbirds concentrated in these areas should be reduced. Also, the use of motors will not be allowed in small closed areas. Other stipulations for Electric Motor Areas and Slow, No Wake Areas should limit disturbance to fish and wildlife. All motor vehicle use associated with fishing is restricted to designated roads, trails, and parking areas which reduces disturbance to wildlife. Disturbance to habitat is

minimal, although in shallow backwater areas motorized watercraft can damage aquatic plants and increase turbidity. These impacts are generally localized and have little overall negative impact. Undoubtedly some shoreline erosion is caused by boat wakes, but is relatively minor compared to that caused by barge traffic, annual high water events, floods, and wind-driven wave action. There are several no-wake areas to minimize shoreline erosion and to maximize safety to boaters.

Disturbance to other Refuge anglers and visitors should be reduced by Refuge oversight and a cooperative program with the states. This oversight will likely include time, space, and capacity parameters for each pool to minimize competition between events and with the general public. Stipulations above for Electric Motor Areas and Slow, No Wake Areas should also minimize disturbance impacts and give other visitors options for enjoying fishing and other activities during fishing tournaments.

Tournament anglers occasionally violate regulations. However, these incidents usually have only minor impacts to fish populations or Refuge resources, and will be addressed through law enforcement, outreach, and education.

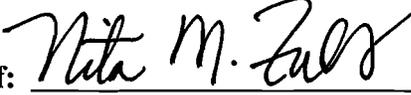
Signature:

Refuge Manager:

 8/17/06
(signature and date)

Concurrence:

Regional Chief:

 8/21/2006
(signature and date)

Mandatory 10- or 15 year Re-evaluations Date: 2016