

FINAL
Amendment to Comprehensive Conservation Plan
& Environmental Assessment

Flint Hills National Wildlife Refuge

Prepared By

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Chapter 1: Purpose and Need

Introduction

The Flint Hills National Wildlife Refuge (refuge) lies in the broad, flat Neosho River Valley in east-central Kansas neighboring the native tallgrass prairie region of Flint Hills. The refuge, established in 1966, currently consists of 18,463 acres located at the upstream end of the John Redmond Reservoir. The land is owned by the Army Corps of Engineers and is managed under a cooperative agreement. The refuge is managed primarily to benefit migrating and wintering waterfowl in the Central flyway. Thousands of ducks and geese utilize the area during the spring and fall migrations and many winter on the refuge. Along with large numbers of migrating birds, the refuge is also a haven for white-tailed deer, wild turkey, bob white quail, and an assortment of other mammals, birds, reptiles, insects, and fish. Over 45,000 visitors per year currently participate in a wide range of activities including, but not limited to: hunting, fishing, wildlife observation, wildlife photography, hiking, wild food gathering, primitive camping, bait collecting for personal use, interpretation, and environmental education.

Background

A comprehensive conservation plan (CCP) was completed for the refuge in September 2000. The CCP serves as a management tool that is used by refuge staff and its partners to preserve and restore the area's natural resources, while providing for public use. The CCP has been guiding management decisions since 2000 and is intended to be in place until 2015. Refuge Planning Policy requires that CCPs are reviewed every 5 years, and that every 15 years, a major revision is undertaken. A review of refuge management was completed in September 2008. Actions recommended in the CCP were scrutinized based on current laws, regulations, and policy. As a result of the review, it was determined that primitive camping and bait collecting should be reassessed.

It was determined that an amendment, with an accompanying environmental assessment (EA), to the current 2000 CCP would allow for a thorough review of primitive camping and bait collecting activities, while ensuring that partners and the public are involved during the amendment process.

Purpose and Need for Action

The purpose of this CCP amendment was to evaluate whether primitive camping and bait collecting should be continued on the refuge. This evaluation was accomplished by reviewing current laws, regulations, and policies as well as working closely with partners and the public. The National Wildlife Refuge System Improvement Act of 1997 (Refuge Improvement Act) mandates that:

- Wildlife has first priority in the management of refuges.
- Recreation or other uses are allowed if they are compatible with wildlife conservation.
- Wildlife-dependent recreation activities such as hunting, fishing, wildlife observation, wildlife photography, environmental education, and interpretation will be emphasized.

Primitive Camping

Both national and regional policies require refuge managers to consider the necessity of camping: whether it is a safe activity, manageable within available budget and staff, and easy to control; can camping be reasonably accommodated on nearby public or private lands; does it contribute to the public's understanding and appreciation of refuge resources; and can camping be accommodated without impairing existing wildlife-dependent recreational uses. The Refuge Improvement Act defines wildlife-dependent recreational uses as hunting, fishing, wildlife observation, wildlife photography, environmental education, and interpretation. Lastly, a refuge manager must determine whether camping is an appropriate use based on the considerations stated above, and if so, whether it is compatible. Regional policy was approved on June 10, 2004.

Bait Collecting

Much like camping, a refuge manager must determine whether bait collecting is an appropriate use, and if so, whether it is compatible. In the case of bait collecting, the refuge has specific regulations it must follow as cited in Chapter 50, Part 32, Section 32.35 Kansas. It states that "we only allow fish bait collecting for personal use. We prohibit digging or habitat disturbance." Chapter 50, Part 27, Section 27.51 (a) states that, "Disturbing, injuring, spearing, poisoning, destroying, collecting or attempting to disturb, injure, spear, poison, destroy or collect any plant or animal on any national wildlife refuge is prohibited."

Planning Process

This CCP amendment process consisted of:

- Data Collection and Evaluation
- Public Involvement – Scoping
- Preparation of draft CCP Amendment/EA
- Public Involvement – draft CCP Amendment/EA
- Final CCP Amendment

The refuge staff prepared and disseminated a news release to the public, which announced a public scoping meeting as well as requesting the public's perspective on potentially eliminating primitive camping and bait collecting. The public scoping meeting was held at the Hartford Community Center on April 1, 2009, from 7:00 p.m. to 9:00 p.m. Approximately 75 people attended the meeting. Refuge staff presented the two issues and the public expressed their issues, concerns, and ideas regarding primitive camping and bait collecting. The meeting was also an opportunity for the community to express their ideas and concerns regarding a wide variety of other issues, particularly relating to several changes in enforcement. Most members of the public expressed their desire to continue primitive camping and bait-collecting activities as they always have.

The Draft CCP Amendment/EA was prepared and the document was provided for public review for over 30 days. Another public meeting was held at the Hartford Community Center on June 23, 2009 from 7:00 p.m. to 9:00 p.m. Approximately 12 people attended the meeting. Refuge staff presented the proposed action to the public and public input was taken. Only one comment in writing was received. This Final CCP Amendment/EA represents the completion of the process. The refuge staff considered public comment and made necessary changes, where appropriate.

Issues and Concerns

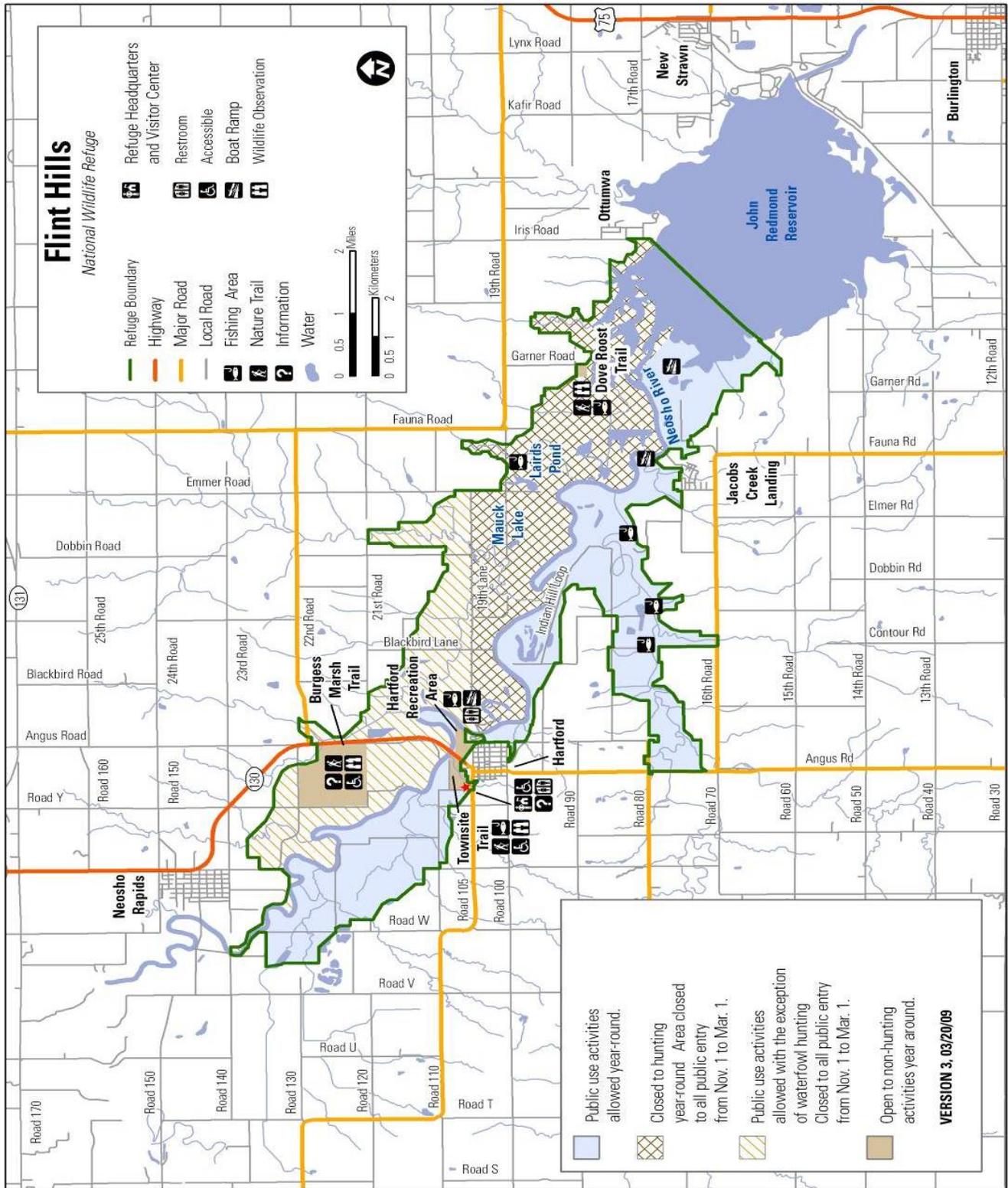
A more detailed discussion of issues and concerns raised during the public scoping meeting may be found in Chapter 5: Consultation and Coordination.

Camping

Interest was expressed by many to continue to allow primitive camping. However, there was some sentiment expressed that disallowing primitive camping would be acceptable.

Baiting Collecting

Many expressed concern that “digging worms” is no more destructive to the natural environment than other means of extracting worms or other refuge management activities that disturb the soil.



Chapter 2: Alternatives

Introduction

The following provides review and discussion of the No Action Alternative and the Preferred Alternative regarding two recreational activities; primitive camping and fish bait collecting.:

Primitive Camping – is defined as the act of seeking overnight lodging outdoors on the open ground and in a primitive setting, whereby no developed facilities (designated camping sites, accessible restrooms, tables, fire rings/grills, potable water, etc.) are provided by the refuge. Visitors are basically free to set up camp in any manner and to any design standard they define. Typically, there are no campsite regulations or restrictions and visitors are free to bring any camping equipment and/or personal effect that they decide to include in their camping experience. For example, visitors may erect tents, rain tarps, privacy tarps, sun showers, tables, chairs, and establish eating/loafing areas to their liking. Campfires and open fires are allowed and there are no restrictions regarding the design or placement of such.

Fish Bait Collecting – is defined as the act of gathering by hand or seine net, cast net, dip net or live trap, various species of insects, crayfish, frogs, bait fish, sod worms, earth worms, night crawlers, and other “critters” that are considered bait and are to be used personally for recreational fishing, and in accordance with all applicable laws and regulations set by the Kansas Department of Wildlife and Parks (KDWP) regarding fish bait collecting.

No Action Alternative

Primitive Camping

This alternative calls for continuing existing management that allows primitive camping. Camp fires and open fires are permitted, as they provide welcome “smokey relief” from stinging insects such as mosquitoes, flies and gnats, during warm temperatures, and especially at night. Visitors are cautioned that the lower areas within the refuge flood frequently. Therefore, no designated or developed camping areas or facilities are provided, and no refuge personnel or services have been provided in support of primitive camping.

Fish Bait Collecting

This alternative calls for continuing existing management that allows fish bait collecting for personal use whereby visitors are allowed to collect crayfish and bait fish with nets and traps in waterways and wetlands, and collect worms from beneath leaves and natural debris on the forest floor, and from the surface of the ground. However, actively digging soils and disturbing ground surfaces in search of worms is prohibited, as described in the 50 CFR (Code of Federal Regulations) Part 32, Hunting and Fishing, Subpart 32.35 D.2 “We only allow fish bait collecting for personal use. We prohibit digging or habitat disturbance.”

Preferred Alternative

Primitive Camping

Under this alternative, primitive camping will be discontinued and an overnight parking policy in support of nighttime fishing will be implemented. Camping is not a priority public use (fishing, hunting, wildlife observation, photography, environmental education and interpretation), because it fails to meet Appropriateness Test numbers 1., 3.i., or 3.j. as described in Appropriate Refuge Uses Policy (603 FW 10) June 3, 2008, and therefore should be discontinued and prohibited in the future. (Please refer to Appendix B). It is important to note that camping opportunities are available nearby.

In 2000, when the CCP was originally signed for Flint Hills National Wildlife Refuge (NWR), primitive camping was considered an appropriate use of refuge lands because the activity supported a priority public use; fishing. Specifically, night fishing for catfish predates refuge history, and remains an important activity locally. The interest is based on a very healthy and stable catfish fishery which is established within the Neosho River and associated John Redmond Reservoir. And, even though Appropriate Use Findings are not required for existing uses which have been reviewed or described in post-1997 CCPs (603 FW 1, Section 1.11D. and FWS Form 3-2319), primitive camping fails to comply with official Region 6 Picnicking and Camping Policy (June 10, 2004) in which public health and safety interests must be met, and as such, must include dedicated facilities, personnel and/or services. If not, then “managers are encouraged to phase out marginal picnicking and camping programs on Refuge System lands.” It should be noted that there are a few refuges where camping is allowed based on lack of nearby camping facilities and other extenuating circumstances.

Part of the intent of the Region 6 Picnicking and Camping policy is to achieve consistency in visitor services and programs offered throughout the Region, and to promote compliance with all applicable national policies and laws regarding recreational uses on Refuge System lands. Another aspect of the policy considers reducing or preventing immediate and long lasting environmental impacts resulting from recreational uses, thereby protecting habitat interests (Refuge Mission and Purpose interests) and public health and safety interests for refuge visitors. In addition, the policy serves to protect the government’s interest in reducing liabilities that may apply regarding recreational uses on Refuge System lands.

Access

With primitive camping being prohibited, “access” to the refuge during nighttime hours to fish for catfish becomes the issue. More specifically, “overnight parking” is truly the issue because vehicles are the means by which visitors arrive to access the refuge to recreate. Overnight parking is defined as less than a 24-hour period. Therefore, visitors should be allowed to park their vehicles on the refuge on gravel surfaces overnight, in continued support of night fishing, but will not be allowed to camp. Since campfires and open fires will be prohibited under proposed alternative, we anticipate an increase in the use of contained fire apparatus that produce heat and smoke and help to reduce the threat of stinging insects. We also anticipate an increased use of other insect deterrents such as smoke-producing Tiki torches, No-Pest Mosquito Coils, and insect foggers, for example.

Inclement Weather and Relief from Stinging Insects

We anticipate situations where visitors will likely take cover in their vehicles during times of severe weather and cold temperatures, or perhaps to seek relief from hoards of stinging/biting insects during warm weather. There may be concerns that some overnight anglers visit the refuge in motor homes, fully equipped with living amenities. The class of vehicle driven to the refuge is not the issue. The issue is whether negative impacts are resulting from the parking activity. If there are no unacceptable impacts identified, then an overnight parking policy (less than 24-hour period) would be implemented to support the nighttime fishing activity.

However, it will be made clear to the visiting public through media, publications, signage and law enforcement field patrol, that traditional primitive camping (including campfires and open fires) will be prohibited on the refuge. Law enforcement field patrol will be important in making the overnight parking program a success. A major challenge for law enforcement officers patrolling fishing sites at night will be in determining what the circumstances are indicating, i.e., whether parking or camping is taking place, based on all the evidence present during a field contact. It will involve officer discretion and fair assessment in carefully evaluating each field contact situation and deciding what enforcement action would be most appropriate.

Fish Bait Collecting

Fish bait collecting will continue as authorized in support of a priority public use—fishing. In accordance with all applicable KDWP regulations, visitors will be allowed to collect (for personal use only) crayfish, bait fish, frogs, leaches, etc., with nets and traps in waterways and wetlands. Worms and grasshoppers may be collected by hand from moist areas and the ground surface and from beneath leaves and natural debris on the forest floor.

However, the act of digging for bait is prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2, prohibiting “digging or habitat disturbance” in association with fish bait collecting on the refuge. Therefore, digging for bait remains as a prohibited activity on the refuge, and the expectation is that refuge officers will enforce this regulation.

Chapter 3: Affected Environment

Location

The refuge is located in east-central Kansas, 10 miles east-southeast of Emporia. Established in 1966, the refuge consists of 18,463 acres located in the Neosho River valley, near Hartford, Kansas. The land is owned by the U.S. Army Corps of Engineers and managed under a cooperative agreement. The refuge lies on the edge of the Flint Hills region of Kansas. The Flint Hills region is characterized by rolling hills and shallow soils that support tallgrass prairie. However, the refuge, within the floodplain of the Neosho River, has deeper fertile soils and a variety of habitats.

Natural Resources

Climate

The climate of the Flint Hills NWR could best be described as moderate or temperate. The average annual precipitation is 36.01 inches, with May and June being the dominate precipitation months. July and August can be exceedingly dry. Floods can occur during any month, especially considering the clayey soils and the 3,015-square-mile watershed above the refuge. Rains in February often generate enough runoff to fill the marshes.

Dominate wind direction is south-southwest. The winds can rapidly desiccate live vegetation, particularly in July. Total snowfall rarely exceeds 2 feet. The frost-free season averages 188 days per year.

Soils

The soils on the refuge are generally poorly drained and clayey. They range from the poorly drained Osage soils to the moderately well drained Chase and Verdegris series. These soils, associated with river terraces and floodplains, formed in the clayey alluvium. They are deep, and exhibit high shrink-swell potential. Verdegris and Chase generally occur as a narrow band along the Neosho River and its major tributaries. Because of their moderate drainage, they are suitable for riparian hardwood forest restoration. The Osage soils comprise a much broader portion of the floodplain and lend themselves to cordgrass restoration and moist soil management. Our native prairie remnants occur in the limestone hills above the floodplain in the soils Lula silt-loam and Eram silty-clay-loam.

Topography/Geology

The landforms surrounding the refuge consist of gently rolling hills, flat uplands and broad flood plains. The soils are underlain by Pennsylvanian age shales and limestones (FHNWR CCP 2000). The refuge ranges in elevation 1,037 feet to 1,075 feet, with 90% occurring below 1068, the maximum flood pool elevation of John Redmond Reservoir.

To the west of the refuge, in the Flint Hills Region, the formations are of the Permian Period, deposited approximately 250 million years ago (FHNWR CCP 2000). Soils in this area are generally thin, with limestone very close to the surface. This area lies upstream from the refuge and has provided some of the sediments that now comprise our soils.

Habitats

Grasslands

Mesic (215 acres) Mesic tallgrass prairies occur around the perimeter of the refuge in the elevations above 1,068 feet. These sites represent our most diverse plant communities, harboring over 100 species of grasses and forbs. These prairies, small though they are, often occur adjacent to larger privately owned native hay meadows or pastures.

Wet Prairie (125 acres) Locations dominated by prairie cordgrass (*Spartina pectinata*) are even rarer than mesic prairies. In eastern Kansas, most wet meadows were drained for agricultural purposes.

Tallgrass Restorations (1,200 acres) These prairie restorations consist of dozens of species of grasses and forbs.

Wetlands

Moist soil vegetation (3,550 acres) Two thousand acres of moist soil are impounded, with the remaining acres receiving floodwaters naturally. Vegetation consists primarily of *Bidens*, *Polygonum*, pigweed, and *Echinochloa*.

Reservoir mudflats and open water (2,300 acres)

Oxbow wetlands (200 acres)

Riparian Forests (4,200 acres) These forests occur throughout the floodplain.

Species composition varies among elm-ash-hackberry floodplain forests, cottonwood floodplain forests, and bur oak-chinkapin associations.

Shrublands (3,600 acres) These old agricultural fields are naturally reforesting with ash (*Fraxinus* spp.) oak, and elm (*Ulmus* spp.)

Agriculture (2,600–3,000 acres) Crop fields are farmed on a rotation of corn, winter wheat, soybeans, and milo. Cooperative farmers leave 15–20% of corn and milo standing in the fields after harvest. Deer use these crops during the fall and winter. In addition, wheat remains available as green forage through winter and spring.

Cultural Resources

Archeological survey investigations conducted on the refuge have identified numerous archeological sites. The majority of these sites represent Middle Ceramic occupation presumed to date from 1,000 to 1,500 AD. According to Thies (1981), the archaeological sites thus far discovered represent occupations ranging from the Paleo-Indian era up to and including the Historic era, or from approximately 12,000 BC to the earliest days of Euro-American settlement. Thies goes on to say it is probably that more sites exist in the areas which could not be adequately investigated during the 1979 and earlier surveys.

Social and Economic Conditions

The refuge is located in Lyon and Coffey counties. The combined population of these counties, according to the 2007 (revised) census estimates, is 44,435. The population of Hartford is approximately 500 according to the 2000 census. The largest nearby city is Emporia (20 miles west of the refuge) with a population of 26,188 according to a 2006 census update. The socio-economic impacts of the refuge on Lyon and Coffey counties consists primarily of permitted public use, contributions of the staff, and supplies purchased for the refuge within the counties as well as Hartford and surrounding communities.

In 2008, an estimated 40,000 visitors drove through or spent time on the refuge. While many of the visits may be local or repeat visitors, the visitation rate represents a considerable economic benefit to Lyon and Coffee counties as well as the surrounding communities.

Public use activities currently permitted at the refuge include the following: hunting, fishing, wildlife observation, wildlife photography, hiking, boating, wild food gathering, primitive camping, bait collecting for personal use, interpretation, and environmental education. Firewood cutting is allowed with a special use permit from the refuge manager. All state and federal regulations are in effect on the refuge.

Chapter 4: Environmental Consequences

Introduction

The following provides review and discussion regarding potential environmental impacts associated with primitive camping and fish bait collecting.

Impacts on Natural Resources

Primitive Camping

Primitive camping can produce negative and lasting impacts to refuge landscapes and natural resources, often producing scattered trash, abandoned fire rings with semi-burned trash remaining, human waste, and pet waste, for example. Camping activities often include unauthorized wood cutting, wildfires (from escaped campfires), and impacts or incidents resulting from unsupervised pets. Specific to campfire concerns, there are no restrictions in place to prevent the potential transport into the refuge of invasive alien pest species such as the aggressive emerald ash borer (native to Asia), that is becoming established in the United States and is often transported to new areas as larvae inside cut firewood.

Visitors often hand dig drainage ditches around their tents and campsites in an effort to drain away rainwater. Typically these drainage ditches are abandoned when the campers depart, leaving behind a trampled and unsightly impacted area.

Past experience has shown that, typically, when an area becomes trashed, a local attitude takes hold that promotes the continued abuse. A common attitude expressed locally is that the negative environmental impacts associated with primitive camping are only temporary because the next flood event will erase all signs of abuse from the past. Yet, in the mean time, the area serves as an illegal dumping ground, and the problems continue to self-perpetuate and worsen. This is an unacceptable situation and, if evaluated according to the Appropriate Use Policy, this is an inappropriate use of Refuge System lands.

Fish Bait Collecting

Collecting of fish bait in the manner described in Chapter 2, Preferred Alternative, should have little to no perceived effect on the immediate environment, natural resources, or imperiled species that may occur within the refuge. In particular, allowing crayfish collecting within the refuge may actually help prevent or lessen the possibility of illegal introduction of alien crayfishes that may be purchased at bait shops and brought into the refuge for use as fish bait. An Invasive Species article, “The Bait Industry as the Potential Vector for Alien Crayfish” published in 2008 by the Missouri Department of Conservation, Resource Science Center (Columbia, Missouri), states “Introduction of alien crayfishes has caused severe impacts to freshwater ecosystems worldwide including declines of native biodiversity, elimination of fish and invertebrate habitat, alteration of trophic webs, and fisheries collapses. The live bait trade is believed to be the primary vector for the introduction of alien crayfishes in North America.”

The endangered Neosho Madtom (*Noturus placidus*) is the only endangered aquatic species known to occur within refuge waters. This small catfish species occurs/lives within the mainstream currents

of large rivers and feeds at night, most actively for three hours after sundown. Seining or netting for shad typically takes place during daylight hours, in calm eddies and in calm backwater areas removed from mainstream currents. Therefore, we believe that shad-collecting activities do not directly conflict with Neosho Madtom protection interests.

The following are excerpts from “Fishes In Kansas” (Cross and Collins 1995), a document that we reference in making our determination as to whether or not conflicts exist regarding fish bait collecting and Neosho Madtom management interests:

“Habitat: The Neosho Madtom lives only in the mainstream of the Cottonwood, Spring, and Neosho rivers. It occurs in riffles and along sloping gravel bars in moderate to strong currents. Deep deposits of loose, rounded cert gravel seem to be preferred by this fish.”

“Reproduction: Spawning by the Neosho Madtom probably takes place in June or July during peak stream flows.”

“Food: The Neosho Madtom eats larval insects that live in crevices between stones on the riverbed. It feeds at night, with the greatest foraging activity occurring during the three hours after sunset.”

Bait collection will not likely adversely affect the federally-threatened Neosho madtom. (See Appendix E: Intra-Service Section 7 Biological Evaluation).

Impacts on Cultural Resources

Primitive Camping

Primitive camping can produce negative impacts to cultural resources if campers actively search for and remove cultural artifacts while visiting the refuge to camp, or while visiting the refuge to appear to be camping, but in reality, camping on the refuge to steal cultural artifacts.

Wildfires resulting from escaped campfires can remove groundcover, and visibly expose cultural artifacts, making them vulnerable to theft.

Fish Bait Collecting

Collecting of fish bait in the manner described in Chapter 2 should have little to no perceived effect on cultural resources that may occur within the refuge. However, digging the soil is prohibited regarding fish bait collecting as described in Chapter 2, and in addition, searching for cultural artifacts is strictly prohibited on national wildlife refuges as described in 50 CFR, Part 27, Prohibited Acts, Subpart F, Disturbing Violations: 27.63 “Searching for and removal of objects of antiquity.” Therefore, digging on the refuge for any recreational reason, including fish bait collecting is prohibited.

Social and Economic Impacts

Primitive Camping

Primitive camping on the refuge may have a negative local impact economically, as local hotels and restaurants may lose business to campers' lodging on the refuge instead of buying goods and services in local communities. Therefore, local restaurants and hotels may actually benefit from primitive camping being discontinued and prohibited on the refuge. It is important to note that camping opportunities are available to the public nearby.

However, it is difficult to assess whether or not primitive camping results in negative social impacts locally, or not. Prohibiting primitive camping on the refuge may produce a sense of loss to some refuge visitors who have come to value such an outdoor experience and the associated family and friendship ties and camaraderie that primitive camping may provide.

Fish Bait Collecting

Collecting of fish bait in the manner described above in Chapter 2 should have little to no perceived effect on social and economic interests locally. Fish bait sales may be negatively affected at local bait shops, if refuge visitors are allowed to continue to gather fish bait on the refuge instead of buying it locally. However, we have no means of accurately determining if negative social or economic impacts will occur locally or not, or to what extent.

Chapter 5: Consultation and Coordination

List of Preparers

Core Team

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Public Involvement

The refuge staff prepared and disseminated a news release to the public that announced a public scoping meeting as well as requesting the public’s perspective on potentially eliminating primitive camping and bait collecting. The public scoping meeting was held at the Hartford Community Center on April 1, 2009, from 7:00 p.m. to 9:00 p.m. Approximately 75 people attended the meeting. Refuge staff presented the two issues and the public expressed their issues, concerns, and ideas regarding primitive camping and bait collecting. In addition, telephone contacts, personal meetings, emails, and written correspondence during the scoping period produced a number of comments by the public.

The refuge staff prepared and disseminated a second News Release to the public that announced a public meeting to discuss the results of the draft CCP Amendment/EA. The public meeting was held at the Hartford Community Center on June 23, 2009 from 7:00 p.m. to 9:00 p.m. Approximately 12 people attended the meeting. Refuge staff presented the preferred alternative for eliminating primitive camping and prohibiting the digging of worms. In contrast to the first public meeting, there were fewer questions and comments. Based on public comment and technical/legal considerations, this document represents the final CCP Amendment/EA.

Scoping Comments and Responses

A number of concerns were raised and suggestions made during the 30-day scoping period. The following issues pertaining specifically to primitive camping and bait collecting follow.

1. Q. What uses are allowed and what uses are not allowed?

A. The following subject list describes activities that are authorized and prohibited on the refuge. This list is presently under review for update and revision:

Flint Hills NWR Information and Current Regulations

- Camping** Camping is allowed on the refuge in areas open to public access. Please pack out all trash. Campfires are allowed and must be fully extinguished prior to departure.
- Hunting** Hunting for waterfowl, deer, and upland game birds is permitted on the refuge in accordance with State and Federal Regulations. Please review the Refuge Public Use Regulations leaflet for hunting and access regulations that are specific to Flint Hills National Wildlife Refuge.
- Fishing** Sport fishing is permitted on the refuge in accordance with State and Federal Regulations. Please review the Refuge Public Use Regulations leaflet for hunting and access regulations that are specific to Flint Hills National Wildlife Refuge.
- Motorized Vehicles** Motorized vehicles are permitted only on graveled or paved roads and parking areas. Driving off road is prohibited. Driving a vehicle past closure signs or barriers is prohibited. All-terrain vehicles (ATVs) and snowmobiles are prohibited on all refuge roads and lands. Parking in front of gates, water access points, bridges, or water control structures is prohibited.
- The speed limit on refuge roads is 35 miles per hour unless otherwise posted.
- The refuge is subject to sudden and frequent flooding. Please use caution and avoid driving through flooded areas if possible.
- Firearms** Firearms are prohibited on the Neosho River and areas closed to hunting. Target shooting is prohibited on the refuge.
- Fireworks** Fireworks or other explosives are prohibited on the refuge.
- Pets** Please keep pets under your direct control at all times.
- Animals and Plants** Non-commercial harvest of berries, mushrooms, and nuts is allowed. Outside of fish and game taken legally in season, harassing, injuring, destroying, or attempting to do so to any animal or plant is prohibited.
- Artifacts, Fossils, and Historic Items** Artifacts, fossils, and historic items are protected on the refuge by Federal Law. It is unlawful to search for or remove these objects from refuge lands.

2. Q. Has anyone seen a Neosho Madtom in fishing activity?

A. No refuge visitors have ever informed a refuge employee that they caught a Neosho Madtom while fishing.

3. Q. Are we getting answers to questions tonight?

A. Yes. We are intending to try to answer questions from the audience tonight as best we can, but the primary purpose of the meeting is to exchange information, not to make any lasting decisions regarding any particular subject.

4. Q. How much fisheries resource is lost when the lake (John Redmond Reservoir) is dropped?

A. We do not know. However, we do know that despite wide and frequent fluctuations in the lake elevation, the Neosho River continues to support a very healthy and stable catfish fishery, as reported to us from fisheries biologists with the Kansas Department of Wildlife and Parks.

5. Q. Are camping and bait collecting to be outlawed?

A. We are presently in the process of determining the answer to this question. Camping and bait collecting are not considered to be priority public uses, as fishing, hunting, wildlife observation, photography, environmental education and interpretation are considered to be priority public uses. Camping and bait collecting have been allowed in the past because they support two priority public uses—fishing and hunting. At the present time, camping and bait collecting are being closely evaluated to determine if these two activities are in compliance with regional and national policies and if these activities are truly appropriate uses for Refuge System lands.

6. Q. Where does the Neosho Madtom occur within the river column?

A. The following are excerpts from “Fishes In Kansas” (Cross and Collins 1995), a document that we reference in making our determination as to whether or not conflicts exist regarding fish bait collecting and Neosho Madtom management interests:

“Habitat: The Neosho Madtom lives only in the mainstream of the Cottonwood, Spring, and Neosho rivers. It occurs in riffles and along sloping gravel bars in moderate to strong currents. Deep deposits of loose, rounded cert gravel seem to be preferred by this fish.”

“Reproduction: Spawning by the Neosho Madtom probably takes place in June or July during peak stream flows.”

“Food: The Neosho Madtom eats larval insects that live in crevices between stones on the riverbed. It feeds at night, with the greatest foraging activity occurring during the three hours after sunset.”

7. Q. Have problems been noted on the refuge in bait collecting and camping?

A. Yes. In reference to bait collecting, refuge personnel have noted that digging for worms has been taking place illegally and extensively in some areas of the refuge for a long time now, despite the fact that this activity is prohibited. The act of digging for worms results in extensive soil disturbance within riparian areas and along stream banks, making the soil extremely susceptible to erosion. Disturbing the soil in search of fish bait is prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2, prohibiting “We only allow fish bait collecting for personal use. We prohibit digging or habitat disturbance” (see Section 27.51 of this chapter). Therefore, digging for bait remains as a prohibited activity on the refuge. It should be noted that this CFR citation is specific to Flint Hills National Wildlife Refuge.

In reference to camping, refuge personnel have noted continuous negative impacts involving trash, vandalism, dumping, human and pet waste, and occasional wildfires resulting from abandoned campfires. Other undesirable impacts associated with campfires have included “keg parties” where evidence has indicated alcohol and drug use by local visitors has been occurring regularly.

8. Q. Is digging worms bad? Why?

A. This question was addressed in Question 7. In addition, searching for cultural artifacts is strictly prohibited on national wildlife refuges as described in 50 CFR, Part 27, Prohibited Acts, Subpart F, Disturbing Violations: 27.63 “Searching for and removal of objects of antiquity.” Therefore, digging on the refuge for any reason, including fish bait collecting is prohibited.

9. Q. Will camping in the Horseshoe area be prohibited?

A. Yes, if camping becomes prohibited on the refuge.

10. Q. What are the current rules for bait collecting and camping?

A. *Fish Bait Collecting Regulations:* The act of digging for bait is prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2, prohibiting “We only allow fish bait collecting for personal use. We prohibit digging or habitat disturbance (see Section 27.51 of this chapter).” Therefore, digging for bait remains as a prohibited activity on the refuge, and the expectation is that refuge officers will enforce this regulation.

Current Primitive Camping Regulations: Camping is allowed on the refuge in areas open to public access. Please pack out all trash. Campfires are allowed and must be fully extinguished prior to departure.

11. Q. Is arrest possible (guaranteed) if you get caught bait collecting or camping?

A. Typically, no. Arrest is not likely to happen in either of these activities, unless some other far more serious violation is involved in either situation.

12. Q. Is the refuge maintaining the boat ramp and camping area?

A. The 22-acre boat ramp area located on the river beside Hartford is owned and managed by the U.S. Army Corps of Engineers (USACE). The refuge has agreed to provide silt-cleaning services weekly for the boat ramp, but all other interests for the area remain with the USACE, including authorized public uses at the site and maintenance responsibilities.

13. Q. Are we able to set our own refuge-specific regulations here?

A. No. The purpose of the scoping meeting tonight is to exchange information, dispel rumors, share ideas, and (generally) inform the public of the CCP revision process. After the meeting has concluded, we would like to take advantage of the opportunity to discuss in person, other subjects that are relative to the refuge mission and the visiting public’s interests.

Draft Document Public Comment and Response

As discussed previously, fewer people attended this public meeting. Only one written comment letter was received. Based on discussions at the public meeting and the comment letter, there are no additional comments or responses.

Appendix A: References

“The Bait Industry as the Potential Vector for Alien Crayfish.” Missouri Department of Conservation, Resource Science Center, 2000 (Columbia, Missouri).

Cross, Frank B.; Collins, Joseph T. 1995. Fishes in Kansas.

Guidance for Implementation of Appropriate Refuge Uses Policy (603 FW 1)
June 3, 2008. (National policy guidance through memorandum).

New Picnicking and Camping Policy on Region 6 Refuge System Lands
June 10, 2004 (Regional policy guidance through memorandum).

Thies, R.M. 1981. Archaeological Investigations in the John Redmond reservoir: East
Central Kansas 1979. Kansas State Historical Society. Submitted to U.S. Army Corps
of Engineers, Tulsa. Pg. 306.

U.S. Census Bureau. <http://quickfacts.census.gov/qfd/states/20/20031.html>.

U.S. Fish and Wildlife Service. 2000 Comprehensive Conservation Plan Flint Hills
National Wildlife Refuge. Flint Hills National Wildlife Refuge.

Appendix B: Appropriateness Determination for Primitive Camping

FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: Flint Hills National Wildlife Refuge

Use: Primitive Camping

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

| Decision Criteria: | YES | NO |
|--|-------------------------------------|-------------------------------------|
| (a) Do we have jurisdiction over the use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Does the use comply with applicable laws and regulations (Federal, State, tribal, and local)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Is the use consistent with applicable Executive orders and Department and Service policies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Is the use consistent with public safety? | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Is the use consistent with goals and objectives in an approved management plan or other document? | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed? | <input type="checkbox"/> | <input type="checkbox"/> |
| (g) Is the use manageable within available budget and staff? | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) Will this be manageable in the future within existing resources? | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources? | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future? | <input type="checkbox"/> | <input type="checkbox"/> |

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes No

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate

Appropriate

Refuge Manager: Patrick D. Gonzales

Date: April 21, 2009

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence.

Refuge Supervisor: A. P. JL (acting)

Date: September 1, 2009

A compatibility determination is required before the use may be allowed.

FWS Form 3-2319
02/06

Appendix C: Appropriateness Determination for Bait Collecting Compatibility Determination for Bait Collecting

FINDING OF APPROPRIATENESS OF A REFUGE USE

Refuge Name: Flint Hills National Wildlife Refuge

Use: Fish Bait Collecting

This form is not required for wildlife-dependent recreational uses, take regulated by the State, or uses already described in a refuge CCP or step-down management plan approved after October 9, 1997.

| Decision Criteria: | YES | NO |
|--|-------------------------------------|--------------------------|
| (a) Do we have jurisdiction over the use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Does the use comply with applicable laws and regulations (Federal, State, tribal, and local)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Is the use consistent with applicable Executive orders and Department and Service policies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Is the use consistent with public safety? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Is the use consistent with goals and objectives in an approved management plan or other document? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) Has an earlier documented analysis not denied the use or is this the first time the use has been proposed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Is the use manageable within available budget and staff? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (h) Will this be manageable in the future within existing resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (i) Does the use contribute to the public's understanding and appreciation of the refuge's natural or cultural resources, or is the use beneficial to the refuge's natural or cultural resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (j) Can the use be accommodated without impairing existing wildlife-dependent recreational uses or reducing the potential to provide quality (see section 1.6D, 603 FW 1, for description), compatible, wildlife-dependent recreation into the future? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Where we do not have jurisdiction over the use ("no" to (a)), there is no need to evaluate it further as we cannot control the use. Uses that are illegal, inconsistent with existing policy, or unsafe ("no" to (b), (c), or (d)) may not be found appropriate. If the answer is "no" to any of the other questions above, we will **generally** not allow the use.

If indicated, the refuge manager has consulted with State fish and wildlife agencies. Yes No

When the refuge manager finds the use appropriate based on sound professional judgment, the refuge manager must justify the use in writing on an attached sheet and obtain the refuge supervisor's concurrence.

Based on an overall assessment of these factors, my summary conclusion is that the proposed use is:

Not Appropriate

Appropriate

Refuge Manager: Patrick D. Grogan

Date: April 21, 2009

If found to be **Not Appropriate**, the refuge supervisor does not need to sign concurrence if the use is a new use.

If an existing use is found **Not Appropriate** outside the CCP process, the refuge supervisor must sign concurrence.

If found to be **Appropriate**, the refuge supervisor must sign concurrence.

Refuge Supervisor: Ann F. John (acting)

Date: September 1, 2009

A compatibility determination is required before the use may be allowed.

FWS Form 3-2319
02/06

COMPATIBILITY DETERMINATION

USE: Fish Bait Collecting

REFUGE NAME: Flint Hills National Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITY (IES):

16 U.S.C § 644 (Fish and Wildlife Coordination Act, 1958).

Flint Hills NWR was established in 1966 and “shall be administered by the Secretary of the Interior directly or in accordance with cooperative agreements ... and in accordance with such rules and regulations for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon.”

General Legislation Authorizing the Service to Purchase Land

1. Migratory Bird Conservation Act of February 19, 1929 (16 U.S.C. 715–715d, 715e, 715f–r), as amended.
2. Migratory Bird Hunting and Conservation Stamp Act of March 16, 1934 (16 U.S.C. 718–718h), as amended.
3. Fish and Wildlife Act of 1956 (16 U.S.C. 742a–j), as amended.
4. Refuge Recreation Act of September 28, 1962 (16 U.S.C. 460k), as amended.

NATIONAL WILDLIFE REFUGE SYSTEM MISSION:

“The mission of the 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: Fish Bait Collecting – is defined as the act of gathering by hand or seine net, cast net, dip net or live trap, various species of insects, crayfish, frogs, bait fish, sod worms, earth worms, night crawlers, and other “critters” that are considered bait and are to be used personally for recreational fishing, and in accordance with all applicable laws and regulations set by the Kansas Department of Wildlife and Parks (KDWP) regarding fish bait collecting.

AVAILABILITY OF RESOURCES:

An analysis of available refuge resources was completed in the original 2000 CCP document, and the positive findings from the analysis still apply for the CCP Amendment.

ANTICIPATED IMPACTS OF THE USE:

In accordance with all applicable KDWP regulations, visitors will be allowed to collect (for personal use) crayfish, bait fish, frogs, leeches, etc., with nets and traps in waterways and wetlands.

Worms and grasshoppers may be collected by hand from moist areas and the ground surface and from beneath leaves and natural debris on the forest floor.

Only short-term impacts are anticipated and may include temporary disturbance to wading birds and shorebirds in wetlands and waterways, and foot trampling of vegetation beside waterways and within wet areas where bait-collecting activities are conducted.

However, the act of digging for bait is prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2, prohibiting “digging or habitat disturbance” in association with fish bait collecting on the refuge. Therefore, digging for bait remains as a prohibited activity on the refuge.

PUBLIC REVIEW AND COMMENT:

This compatibility determination is being reviewed concurrently with the Environmental Assessment for the Amendment to the Comprehensive Conservation Plan 2000.

DETERMINATION (CHECK ONE BELOW):

 USE IS NOT COMPATIBLE

 XX **USE IS COMPATIBLE WITH FOLLOWING STIPULATIONS**

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

The fish bait-collecting activities may only be conducted in accordance with all applicable KDWP regulations, and all applicable refuge regulations and laws.

The act of digging for bait on the refuge is prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2, prohibiting “digging or habitat disturbance” in association with fish bait collecting on the refuge. Therefore, digging for bait remains as a prohibited activity on the refuge and the expectation will be for Refuge Officers to enforce the regulation.

JUSTIFICATION:

The refuge manager has determined that fish bait-collecting activity is an appropriate use of Refuge System lands and is a compatible use because it does not compromise the primary purposes for which the refuge was established and because the use will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the Flint Hills National Wildlife Refuge. In addition, the refuge has in effect specific regulations it must follow as cited in Chapter 50, Part 32, Section 32.35 Kansas. It states that “we only allow fish bait collecting for personal use. We prohibit digging or habitat disturbance.”

SIGNATURE—REFUGE MANAGER: Patrick D. Zangels 4/21/2009
(signature and date)

REVIEW—REFUGE SUPERVISOR: Jan P. Jha (acting) 9/1/2009
(signature and date)

APPROVAL—REGIONAL CHIEF: Richard A. Coleman 9/2/09
(signature and date)

MANDATORY 10- OR 15-YEAR REEVALUATION DATE: September 2025

Appendix D: Environmental Compliance

Environmental Action Statement

U.S. Fish and Wildlife Service, Region 6
Lakewood, Colorado

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy act and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record.

I have determined that the action of implementing the "Final Amendment to Comprehensive Conservation Plan, Flint Hills National Wildlife Refuge" is found not to have significant environmental effects, as determined by the attached "finding of no significant impact" and the environmental assessment.

Approved by:

 9/14/09

Steve Guertin
Regional Director, Region 6
U.S. Fish and Wildlife Service
Lakewood, CO

Date

Concurred with:

 9/2/09

Richard A. Coleman, PhD
Assistant Regional Director, Region 6
National Wildlife Refuge System
U.S. Fish and Wildlife Service
Lakewood, CO

Date

 (acting) 9/12/09

Dave Linehan
Refuge Supervisor
U.S. Fish and Wildlife Service, Region 6
Lakewood, CO

Date

Submitted by:

 4/21/2009

Pat Gonzales
Refuge Manager
Flint Hills National Wildlife Refuge
Hartford, KS

Date

Finding of No Significant Impact

U.S. Fish and Wildlife Service, Region 6
Lakewood, Colorado

Two alternatives for Flint Hills National Wildlife Refuge considering whether to continue primitive camping and fish bait-collecting were assessed as to their effectiveness in achieving the refuge's purposes; their impacts on the human environment; and adequacy in complying with existing laws, regulations, and policies.

The No Action Alternative would continue current management.

The Proposed Action Alternative would discontinue primitive camping and an overnight parking policy in support of nighttime fishing would be implemented. Primitive camping would be eliminated because the act of visiting a national wildlife refuge for the sole purpose of camping is an inappropriate use of Refuge System lands. Camping is not a priority public use. It is important to note that camping opportunities are available nearby. With primitive camping being prohibited, anglers would be allowed to park their vehicles overnight (less than a 24-hour period). Fish bait collecting would continue as authorized in support of a priority public use, fishing. In accordance with all applicable Kansas Department of Wildlife and Parks regulations, visitors would be allowed to collect (for personal use only) crayfish, bait fish, frogs, leeches, etc., with nets and traps in waterways and wetlands. Worms and grasshoppers may be collected by hand from moist areas and the ground surface and from beneath leaves and natural debris on the forest floor. However, the act of digging for bait would be prohibited according to 50 CFR Part 32, Hunting and Fishing, Subpart 32.35 D.2.

Based on this assessment and comments received, I have selected the proposed action alternative as the **preferred alternative (final plan)** for implementation. The preferred alternative was selected because it best meets the purposes for which Flint Hills National Wildlife Refuge was established and best complies with existing laws, regulations, and policies.

I find that the preferred alternative is not a major federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2) (C) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an environmental impact statement on the proposed action is not required.

The following is a summary of anticipated environmental effects from implementation of the preferred alternative:

The preferred alternative will not adversely impact endangered or threatened species as well as other wildlife and fish or their habitat.

The preferred alternative will not adversely impact archaeological or historical resources.

The preferred alternative will not have a disproportionately high or adverse human health or environmental effect on minority or low-income populations.

 9/14/09

Steve Guertin
Regional Director, Region 6
U.S. Fish and Wildlife Service
Lakewood, CO

Date

Appendix E: Intra-Service Section 7 Biological Evaluation

Originating Person: Patrick Gonzales

Telephone Number: 620-392-5553

Date: June 5, 2009

I. Region 6

II. National Wildlife Refuge System

III. Pertinent Species and Habitat:

A. Listed species and/or their critical habitat within the action area:

Federally-listed Threatened Neosho Madtom (Noturus placidus); no federal critical habitat has been designated.

B. Proposed species and/or proposed critical habitat within the action area:

C. Candidate species within the action area:

D. Include species/habitat occurrence on a map.

IV. Geographic Area or Station Name and Action:

Flint Hills National Wildlife Refuge

V. Location (attach map):

A. Ecoregion number and name:

B. County and state:

Lyon and Coffee counties, Kansas

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

Section 20, Township 14

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

Hartford, Kansas

E. Species/habitat occurrence:

The Neosho madtom occurs in the main stem Neosho River within the refuge boundaries. The species is a small ictalurid (catfish) generally less than 75 mm (3 inches) in length. Adult madtoms inhabit riffles with a gravel bottom (small gravel and pebbles and prefer water velocities of 0.3 to 1.2 m/second (1 to 4 ft/second). Young-of-the-year madtoms prefer pools 1 to 3 feet deep with lower current velocities immediately downstream of riffles.

VI. Description of proposed action (attach additional pages as needed):

Refuge visitors collecting fish bait from refuge waters to be used for personal use while fishing.

VII. Determination of effects:

A. Explanation of effects of the action on species and critical habitats in items III: *Bait fish collection on the refuge is regulated by Kansas statute. Bait fish may be collected by seining or fish traps. Gizzard shad are typically collected for bait, but small cyprinids and suckers (minnows) may be collected. Due to their small size and spines, Neosho madtoms are not targeted during bait fish collection. Neosho madtoms have also been found to imbed themselves into gravel substrate during daylight hours, emerging after dark to forage. Because bait fish collection on the refuge typically occurs during daylight hours, the species is less vulnerable to seining than it would be otherwise. Kansas statute prohibits the collection or possession of Neosho madtoms as bait, and this prohibition is noted in the Kansas Fishing Regulations.*

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

VIII. Effect determination and response requested: [* = optional]

A. Listed species/designated critical habitat:

| <u>Determination</u> | <u>Response requested</u> |
|---|---------------------------|
| No effect/no adverse modification (species: _____) | _____ *Concurrence |

May affect, but is not likely to adversely affect species/adversely modify critical habitat (species: **Neosho madtom**)

X Concurrence

May affect, and is likely to adversely affect species/adversely modify critical habitat (species: _____)

____ Formal Consultation

B. Proposed species/proposed critical habitat:

Determination

Response requested

No effect on proposed species/no adverse modification of proposed critical habitat (species: _____)

____ *Concurrence

Is not likely to jeopardize proposed species/adversely modify proposed critical habitat (species: _____)

____ Conference

Is likely to jeopardize proposed species/adversely modify proposed critical habitat (species: _____)

____ Conference

C. Candidate species:

Determination

Response requested

No effect (species: _____)

____ *Concurrence

Is not likely to jeopardize candidate species (species: _____)

____ Conference

Is likely to jeopardize candidate species (species: _____)

____ Conference

Patrick D. Gonyea
Signature

June 5, 2009
Date

[Title/office of supervisor at originating station]

IX. Reviewing ESO Evaluation:

A. Concurrence _____ Nonconcurrency _____

B. Formal consultation required _____

C. Conference required _____

D. Informal conference required _____

E. Remarks (attach additional pages as needed):

Michael J. LeValley
Signature

6-5-2009
Date

[Title/office of reviewing official]

