

Draft Compatibility Determination

Draft Compatibility Determination for Recreational Fishing with the Use of Motorized and Non-motorized Boating, Kirwin National Wildlife Refuge.

Refuge Use Category

Fishing

Refuge Use Type(s)

Fishing (non-commercial)

Boating (motorized)

Boating (human-powered)

Refuge

Kirwin National Wildlife Refuge

Refuge Purpose(s) and Establishing and Acquisition Authority(ies)

Basic authority for the existence of Kirwin National Wildlife Refuge (NWR) stems from the Fish and Wildlife Coordination Act, which authorized the establishment of wildlife areas on federal water projects. The purpose of Kirwin NWR, "...shall be administered by him [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, ...in behalf of the National Migratory Bird Management Program" 16 U.S.C. § 664 (Fish and Wildlife Coordination Act).

National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as 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 (Pub. L. 105-57; 111 Stat. 1252).

Description of Use

Is this an existing use?

Yes

This compatibility determination reviews and replaces the CD for recreational fishing, as well as the CD for the use of boating in support of the six primary public uses, both of which are found in Appendix B of the CCP for Kirwin National Wildlife Refuge (12/01/2006).

What is the use?

Recreational Fishing – This allows for recreational fishing for pleasure, leisure, or sport.

Boating in Support of a Primary Public Use – This allows for the use of motorized and non-motorized boats, such as canoes and kayaks, in support of the primary public use of fishing.

Is the use a priority public use?

Yes

Where would the use be conducted?

Kirwin National Wildlife Refuge consists of 10,778 acres of prairie uplands, wetlands, wooded riparian areas, cropland, and developed acres. There are approximately 4,993 wetland acres. This figure includes the surface acreage of Kirwin Reservoir, which can vary dramatically both annually and seasonally. All reservoir waters are open to recreational fishing in accordance with State fishing regulations. Boating is allowed on all reservoir waters unless otherwise designated by signs or buoys. There is, however, a no wake zone in effect within 100 yards of all shorelines and islands, as well as the entire Bow Creek Arm.

When would the use be conducted?

Recreational fishing with the use of motorized and non-motorized boating will be in accordance with the seasons and regulations established by the Kansas Department of Wildlife and Parks (KDWP). Kirwin Reservoir is open to boating year-round, however, Refuge staff will implement a seasonal boat closure between October 1 and April 1, in which all boating is prohibited, when the lake elevation is 1,722 feet or less. Such seasonal closures are enforced to reduce disturbance to resting migratory birds using the reservoir as a stopover site. During the closure, boats may be launched at the boat ramp at Scout Cove and boat fishing may continue south of the buoy line at the mouth of the Bow Creek Arm. The Bow Creek Arm is the only area of the lake where boat fishing is permitted during these seasonal boat closures.

How would the use be conducted?

The primary game fish are walleye, black bass, white bass, wipers, crappie, and

channel catfish. Foot travel is allowed in all parts of the refuge. There are three boat ramps that are available at varying water elevations. Anglers may park within the road right-of-way or designated parking areas where available.

Boats must follow U.S. Coast Guard standards. They must be equipped and operated in accordance with Kansas Boat and Water Safety Laws and Federal regulations.

Why is this use being proposed or reevaluated?

Reevaluation is due per policy 603 FW 2.11 H. We will reevaluate compatibility determinations for all existing wildlife-dependent recreational uses when conditions under which the use is permitted change significantly, or if there is significant new information regarding the effects of the use, or at least every 15 years, whichever is earlier. A refuge manager may always reevaluate the compatibility of a use at any time.

Availability of Resources

The need for staff time to administer the current fishing program is already committed and available with current staffing levels. Resources involved in the administration and management of the fishing program include personnel time associated with law enforcement, the maintenance of facilities, such as adjusting docks to fluctuating water levels, cleaning restrooms, and monitoring the effects of public access to the refuge, such as the degree of littering and vandalism. Plants and wildlife will also be monitored to determine any impacts that are a result of public use.

Anticipated Impacts of the Use

Fishing, and boating in support of the primary public use of fishing, causes short-term reductions in fish species populations and disturbance to other wildlife species.

Short-term impacts

Fish Species – Localized and/or short-term reductions in fish species populations may occur due to take of the target species and incidental take of other species. At current fishing levels, however, we have not observed, nor do we anticipate any short-term impacts to targeted or incidental take species at a population-level due to recreational fishing on the Refuge. KDWP biologists monitor fish populations, and State and Federal regulatory bodies continually respond to management needs by adopting regulations to ensure the continued health of fish populations. Therefore, as long as fishing is done in compliance with State regulations as required, including following any temporary closures, we do not anticipate any more than minor short-term impacts to fish species as a result of fishing on the Refuge.

Wildlife Species – Wildlife, including waterfowl and other migratory birds, may be

temporarily displaced from use areas as boats approach, but the level of use and disturbance is expected to be low. Disturbance to migrating and wintering waterfowl will be reduced by implementing a seasonal boat closure on most of the reservoir during low water conditions. Refuge staff also close certain roads from October 1 to April 1 to minimize the effects of vehicle use near known waterfowl use-areas.

Long-term impacts

No long-term impacts are expected for fish populations. Fish harvested by users at current and projected levels, in accordance with established State and Federal regulations pertaining to seasons, creel limits, and methods of harvest, are not expected to have long-term impacts on the overall populations of fish within Kirwin Reservoir. KDWP biologists monitor fish populations, and State and Federal regulatory bodies continually respond to management needs by adopting regulations to ensure the continued health of fish populations.

Refuge habitats and non-target wildlife will remain largely unaffected by the continuation of recreational fishing on Refuge land except in areas of frequent landings by boat, where potential for the spread of invasive species or contamination from fuel spills is a possibility. The areas in which these long-term impacts are a possibility are small in comparison to the whole Refuge.

Public Review and Comment

The draft compatibility determination was available for public comment for 14 days from January 16 to January 30, 2024. A hard copy of this document was posted at Refuge Headquarters at 702 E Xavier Rd, Kirwin, KS 67644.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

1. Require that fishing follow state regulations.
2. Monitor vehicle use for wildlife disturbance, law enforcement violations, etc.
3. Do not permit unattended boats to remain on the refuge overnight.
4. At water levels <1,722 feet, implement a seasonal (October 1 to April 1) boat closure on most of the reservoir.
5. Continue the No Wake Zone in Bow Creek.
6. Continue the No Wake Zone within 100 yards of all shorelines and islands.
7. Boats must be equipped and operated with the Kansas Boat and Water Safety Laws

and appropriate federal regulations.

Justification

Based upon the biological impacts addressed above, it is determined recreational fishing with the use of motorized and non-motorized boating will not materially interfere with the habitat goals and objectives or purposes for refuge establishment.

Fishing is a priority public use as listed in the National Wildlife Refuge System Improvement Act of 1997.

Signature of Determination

Station Manager Signature and Date

Signature of Concurrence

Assistant Regional Director Signature and Date

Mandatory Reevaluation Date

2039