COMPATIBILITY DETERMINATION

Use: Firewood Gathering

Refuge Name: Theodore Roosevelt National Wildlife Refuge Complex (Complex)

Counties: Washington, Leflore, Holmes, Humphreys, Yazoo Counties, Mississippi

Date Established:
Theodore Roosevelt National Wildlife Refuge Complex – 2004
Yazoo National Wildlife Refuge – 1936
Panther Swamp National Wildlife Refuge – 1977
Morgan Brake National Wildlife Refuge – 1980
Mathews Brake National Wildlife Refuge – 1980
Hillside National Wildlife Refuge – 1975
Holt Collier National Wildlife Refuge – 2004
Theodore Roosevelt National Wildlife Refuge – 2004

Establishing and Acquisition Authority:


Holt Collier National Wildlife Refuge – Theodore Roosevelt National Wildlife Refuge Act
(Section 145 of PL 108-199 - the Consolidated Appropriations Act of 2004).

(Section 145 of PL 108-199 - the Consolidated Appropriations Act of 2004).

Refuge Purposes:

“... for the protection of migratory birds ... or any part, nest, or egg of any such bird.” 16

“... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.”
“... suitable for— (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species ...” 16 U.S.C. § 460k-1 “... the Secretary ... may accept and use ... real ... property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors ...” 16 U.S.C. § 460k-2 (Refuge Recreation Act (16 U.S.C. § 460k-460k-4), as amended).

“... for the development, advancement, management, conservation, and protection of fish and wildlife resources ...” 16 U.S.C. § 742f(a)(4) “... for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude ...” 16 U.S.C. § 742f(b)(1) (Fish and Wildlife Act of 1956)

“Although the Complex has an overriding purpose of providing for the habitat needs of migratory birds, with an emphasis on waterfowl, each refuge within the Complex has a unique purpose and establishing legislation” (Theodore Roosevelt National Wildlife Refuge Complex CCP, dated Feb. 10, 2006)

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

Description of Use:

(a). What is the use? Firewood gathering and removal is not a priority public wildlife-dependent use identified in the National Wildlife Refuge System Improvement Act of 1997. Wood gathering and timber removal is generally defined as the removal of woody material from the Refuge for private (non-commercial) use (i.e. firewood).

(b). Where would the use be conducted? The scope of this activity will be determined by the Refuge Forester in conjunction with the management objective as identified in the Comprehensive Conservation Plan (CCP) or draft Habitat Management Plan (HMP) for the area and by the quantity and quality of available wood. Gathering sites will vary in size from a portion of an acre up to several hundred acres.

(c). When will the use be conducted? Firewood gathering and removal would generally occur during August and September at identified locations and the collection period would be posted at the appropriate Refuge and clearly stated on each permit. Entry on all or portions of the individual areas may be temporarily suspended by posting (to protect public safety), during occasions of unusual or critical conditions affecting land, water, vegetation, wildlife populations or public safety.
(d). **How will the use be conducted?** Firewood gathering and removal is a use that requires a Special Use Permit (SUP) which can be obtained at the Complex headquarters. No standing trees are allowed to be cut. Only wooded material on the ground is to be gathered and removed from the refuge. Individual permittees would abide by the same general restrictions and regulations as commercial contractors and follow best management practices to minimize the effects and ground disturbance in identified areas. Areas for firewood gathering would be readily accessible via existing roads.

(e). **Why is this use being proposed?** Firewood gathering and removal is used as a forest management tool for purposes of clearing a particular area. Forest management is needed to improve general health, productivity, diversity and quality of the bottomland and upland forests. Forest stands often need to be opened up to reduce competition, to increase diversity, and to increase understory structure. Firewood gathering would further the goals and objectives identified in the completed 2006 CCP Habitat Management, Goal 1, Habitat and Species Management – Maintain habitat and species representative of the Lower Mississippi River Valley, with special emphasis on waterfowl, other migratory birds, and threatened and endangered species (USFWS 2006).

**Availability of Resources:**

*Resources involved in the administration and management of the use:* Planning, issuing permits, and monitoring a wood product harvest program would require oversight and administration by the refuge forester, as time allows, or by other staff experienced with the program.

*Special equipment, facilities, or improvements necessary to support the use:* None

*Maintenance costs:* No maintenance costs are expected from these uses on the Complex. However, every 3-5 years the annual maintenance costs may increase in order to provide gravel for roads and replace signs.

*Monitoring costs:* Minimal costs associated with this use includes monitoring compliance with the permit, habitat response to monitoring the consequences of public having access to the refuge, such as degree of littering and vandalism. Refuge staff regularly travels refuge roads, and other public use areas to ensure public safety related to the proposed use. Plants and wildlife will be monitored to determine any impacts as a result of public use.

*Offsetting revenues:* None.

**Anticipated Effects of the Use:**

**Short Term Impacts:**
The potential exists to directly impact wildlife by displacing animals from localized areas due to disturbance, noise, or removal of nesting areas. Due to the small scale of firewood gathering on the Complex, disturbance to wildlife would be negligible. Avoidance of nesting periods for migratory birds would reduce impacts on populations. Most impacts can easily be avoided by timing of season in accordance with site-specific characteristics.
Large, dead, and downed trees and standing snags are extremely important habitat components that should remain on the refuge unless they pose a danger to the public in concentrated use areas or to refuge operations. Unlikely incidents affecting hunters during general hunts would not be considered reason enough to remove snags. In some cases, the removal of trees along roads, trails, and dikes is necessary to reduce hazards to users caused by falling trees and limbs.

Impacts to refuge roads and trails due to soil compaction from vehicles, rutting, or root damage are possible, but can be avoided by restricting use to dry ground conditions. Traffic on refuge roads will need to be carefully controlled via SUP to avoid impacts such as rutting and potholes.

Firewood gathering benefits the public and can be used as a management tool in forested habitats and as a maintenance tool on roads, trails, and grounds. The removal of tree litter buildup reduces the potential for damaging wildfires. Direct impacts on wildlife can be avoided by timing the activity so that it does not coincide with the breeding/production season. Individuals gathering firewood would be required to comply with SUP conditions and site-specific stipulations to ensure that resources are protected and management goals are achieved.

**Long Term Impacts:**

No adverse, long term or cumulative impacts are anticipated at the current level of use and with the stipulations of the SUP. If the use increases it will be reevaluated.

**Public Review and Comment:**

A Notice of Availability for Comment on the Draft Firewood Gathering Compatibility Determination was posted at the Complex headquarters at 12595 MS Hwy. 149, Yazoo City, MS 39194 for public review and comment starting on XXXXXXX for a period of 15 days ending at close of business on XXXXXXX. Copies of the Draft CD were made available to the public at those locations as well. A copy of the Notice and Draft CD was also posted on the Complex’s website and Facebook page.

**Refuge Determination:**

- Use is Not Compatible
- Use is Compatible with Following Stipulations

**Stipulations Necessary to Ensure Compatibility:**

Firewood gathering would be regulated by SUP so that site-specific impacts can be reduced or eliminated and Service management goals are met. The permit would include stipulations that ensure the practice is allowed only when it benefits refuge operations or habitat conditions, areas and times of use are specified, ingress and egress points controlled, trees to be removed are marked by refuge staff, allowable equipment is identified, and other important conditions are specified.
Stipulations Necessary to Ensure Compatibility:

- A specified time limit for firewood gathering and removal is clearly stated on each permit.
- All wood removed must be for personal (non-commercial) use only.
- All roads, pipelines, and ditches must be kept clear of brush and debris.
- To prevent rutting on access roads, entry is prohibited during periods of wet ground conditions.
- No littering or fires.
- No tractors allowed.
- All vehicles used must stay on designated road system.
- Best Management Practices will be used and will be identified in the SUP.
- Personal protective equipment (glasses, gloves, chaps, etc…) is strongly recommended.
- The Service is not responsible for any mishaps or injuries that may occur during the activities. The permittee acknowledges and agrees to provide appropriate safety equipment and caution all people participating in the activities about the hazards likely to be encountered on refuge managed lands and waters.

Justification:
With the stipulations above, firewood gathering is in compliance with the Comprehensive Conservation Plan (USFWS 2006) and furthers the goals and missions of the National Wildlife Refuge System and The Complex.

Refuge forests need a variety of treatments to enhance habitat conditions for all migratory and resident wildlife species. Thinning forests creates openings needed to provide greater diversity and structure in the understory. This creates nesting habitat for songbirds, cover for resident wildlife and browse for deer. Firewood gathering and removal is a forest management tool that is compatible under the stipulations described. Properly regulated wood gathering allows the use of a renewable resource, potentially can serve as a forest management tool to enhance wildlife habitat, and results in positive public relations for the Complex. Impacts to refuge resources are negligible and there is no potential for this use to lead to long term impacts given stipulations above. This use does not materially interfere or detract from the purposes of the refuges within the Complex.

NEPA Compliance for Refuge Use Description:

Categorical Exclusion without Environmental Action Statement
Categorical Exclusion and Environmental Action Statement
Environmental Assessment and Finding of No Significant Impact
Environmental Impact Statement and Record of Decision
This compatibility determination can be categorically excluded from further NEPA analysis under 40 CFR §1508.4, 516 DM 8.5(A)(1), 516 DM 8.5(B)(7), 516 DM 8.5(B)(9), and 516 DM 8.5(C)(5). Further, the actions do not trigger an extraordinary circumstance as outlined under 43 CFR §46.215. The firewood gathering use is consistent with the 2006 Comprehensive Conservation Plan and associated Environmental Assessment (USFWS 2005) and Finding of No Significant Impact (USFWS 2006) for The Complex. Environmental conditions and firewood gathering have not changed substantially since that analysis. This compatibility determination updates and replaces the 2006 compatibility determination for firewood gathering.

**Approval of Compatibility Determinations**

Project Leader ________________________________

Signature/date

Regional Compatibility Coordinator ________________________________

Signature/date

Refuge Supervisor ________________________________

Signature/date

Regional Chief, National Wildlife Refuge ________________________________

Signature/date

**Mandatory 10 year Reevaluation Date:**

**References and literature cited:**