

DRAFT COMPATIBILITY DETERMINATION

USE: Recreational Fishing

REFUGE NAME: Crab Orchard National Wildlife Refuge

ESTABLISHING AND ACQUISITION AUTHORITIES:

Public Law 80-361, the Refuge Recreation Act, Wilderness Act

REFUGE PURPOSES:

"... for the conservation of wildlife, and for the development of the agricultural, recreational, industrial, and related purposes..." (Public Law 80-361, 61 Stat. 770, dated Aug. 5, 1947)

"... 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).

"... administered for the use and enjoyment of the American people in such a manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness..." (Wilderness Act, Public Law 88-577, 78 Stat. 892)

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:

What is the use?

Fishing is an existing public use activity under the regulation authority of the National Wildlife Refuge System Improvement Act of 1997; it is considered a priority public use. Fishing species, season dates, bag limits and harvest methods will be consistent with Indiana state fishing seasons and regulations on all game species, unless more restrictive refuge regulations apply. Species not included in this compatibility determination are mussels (clams), crayfish, leech, frog, toad, salamander, snake, lizard, turtle and other non-fish species covered in the Illinois Fishing Regulations. This Compatibility Determination updates and supersedes the compatibility determination developed concurrently with the refuge's Comprehensive Conservation Plan and will reevaluate fishing on the refuge.

When would the use be conducted?

All fishing activities are conducted in accordance with the state of Illinois Department of Natural Resources fishing seasons which are updated annually. Fishing can occur year-round during daylight hours on Visitors, Honkers and Managers Ponds. Fishing can occur between March 1

through October 15th on Crab Orchard lake east of Wolf Creek Road and A-41 and Bluegill Ponds. Nighttime fishing is prohibited. The refuge is closed to fishing during from October 16th through the end of February to provide resting areas for wintering waterfowl.

How is the use conducted?

The refuge allows public fishing in accordance with State and refuge regulations and seasons. Illinois recreational fishing regulations allow the traditional taking of game fish species with rod and reel from shore, a boat or through the ice, using trotlines and jugs, removal of rough fish by spear, archery and dip net, as well as the taking of limited quantities of mussels, crayfish, frogs, minnows and turtles for personal use. Like the state of Illinois, we encourage the use of non-toxic fishing weights or lures for fishing activities. Anglers can fish from boats on all lakes or ponds open for fishing; however, A-41, Bluegill, Visitors, Honkers and Managers ponds prohibit the use of gas powered boats.

Refuge fishing regulations are available on the refuge's website and regulation signs or buoys are posted to inform the public of fishing opportunities area and refuge regulations. General information regarding fishing and other wildlife-dependent public uses can be obtained at Crab Orchard National Wildlife Refuge headquarters office/visitor center at 8588 Route 148, Marion, IL 62959 or by calling 618-997-3344. Refuge directions and maps will be available on the station website at: https://www.fws.gov/refuge/crab_orchard. Regulations pertaining to fishing on all National Wildlife Refuges are found in the Code of Federal Regulations (CFR); see 50 CFR Part 32 Subpart A § 32.5 and Subpart B §32.32(b). Copies of the CFR can be found online and in area libraries; in addition, refuge-specific regulations are available on the refuge's website.

Why is the use being proposed?

Fishing is a traditional outdoor pastime, deeply rooted in the American heritage. A high priority for the refuge is to provide compatible wildlife-dependent public uses such as fishing as identified in the National Wildlife Refuge System Improvement Act of 1997. The refuge has been opened to fishing in the past and is renewing the compatibility determination to continue the use and expand the fishing opportunities on the refuge. Fishing is one of the more popular visitor pastimes on the refuge. The Comprehensive Conservation Plan (CCP) also identifies specific objectives and strategies that pertain to people and their use of the refuge. The CCP recreation/public use goal is that "Hunters, anglers, viewers and photographers of wildlife, general visitors and students will enjoy high quality experiences through a variety of opportunities that promote an understanding and appreciation of natural and cultural resources and their management". Specifically, the refuge has a fishing object that states, "Increase the quality of fishing opportunities to a level where 75 percent of anglers experience uncrowded conditions, no conflicts with other users, a reasonable harvest opportunity, and satisfaction with their overall experience. At least 75 percent of anglers understand the issues, strategies, and policies involved in Refuge fisheries management and conservation". Expanding fishing opportunities will help make the refuge more accessible to visitors. A fishing program promotes appreciation of natural resources and the Agency's management of all lands and waters within the National Wildlife Refuge System.

AVAILABILITY OF RESOURCES:

Anglers use the existing network of roads to access the various bodies of water for fishing. The refuge provides numerous parking lots, boat ramps, docks, piers, restrooms, signs and other facilities primarily for use by anglers. The refuge provides staff to maintain these facilities, disseminate information to visitors, and enforce regulations. All of the bodies of water open to fishing are artificial impoundments maintained and managed by the refuge. The refuge maintains game fish rearing ponds to enhance recreational fishing opportunities. Fisheries management is conducted in cooperation with Illinois Department of Natural Resources. Funding for staffing this activity is approximately \$10,000 annually. Operations and maintenance is an additional \$2,000. Recreational fee program funding of \$500 to \$10,000 may be spent annually for rehabilitation, major repairs, or replacement of facilities associated with recreational fishing. Some of the costs associated with this activity are covered with other activities such as boating. In summary resources needed to manage this use include:

- Special equipment, facilities, or improvements necessary to support the use: funded through regular management activities, no additional funding is needed.
- Maintenance costs: funded through regular management activities, no additional funding is needed.
- Monitoring costs: funded through annual biological monitoring, no additional funding is needed.
- Offsetting revenues: none

ANTICIPATED IMPACTS OF THE USE:

Short and long-term impacts:

Fishing has been allowed on the refuge and to date as not impacted the refuge's ability meet the refuge purpose or show a significant impact to the human environment. Fishing activities and harvest of other aquatic species may cause temporary disturbance to waterfowl and other wildlife. To minimize disturbance some areas are closed to fishing during fall and winter when waterfowl concentrate. There is some concern that catch and release bass fishing stresses and kills fish, especially during summer, but the magnitude is unknown at this time. Undoubtedly some shoreline erosion is caused by boat wakes, but is relatively minor compared to that caused by wind-driven wave action. A slight increase in anglers may cause more trampling of vegetation or disturbance of wildlife localized to the refuge shore. The refuge staff monitors changes in refuge vegetation and plant health that includes invasive species monitoring.

This continued vegetation monitoring helps direct habitat management and restoration based on changes identified on the landscape. In addition, the station will stay apprised on the status of threatened and endangered species on the refuge through consultation and local monitoring. All conflicts between users will be dealt with on a case-by-case basis and if too many conflicts arise at any given point the refuge will reevaluate the fishing program. Although fishing causes mortality and temporary disturbance to wildlife, harvesting populations within the carrying capacity of existing habitat insures long-term health and survival of the species.

Disturbance to wildlife is limited to occasional flushing of non-target species during the fishing season and is estimated to be a short-term disturbance. There are no foreseen long-term impacts to sensitive non-target species from disturbance by anglers. Federally threatened and endangered species may be found on the refuge, but it is expected that this use will not conflict with the recovery or protection of these species, requiring no mitigation measures to occur.

Indirect and Cumulative Impacts:

The refuge is open during the fishing season to other priority public uses such as fishing, wildlife observation, wildlife photography, environmental education and interpretation. No conflicts between anglers and other users are expected. Refuge management activities can be accomplished without conflict with fishing activities.

PUBLIC REVIEW AND COMMENT:

The draft Compatibility Determination will be available for public review and comment for 60 days when the 2021-2022 Proposed Hunt and Fish Rule and Code of Federal Regulations are published. The determination will be posted at the Crab Orchard National Wildlife Refuge office at 6987 Headquarters Road, Marion IL 62959 and made available on line at <https://www.fws.gov/refug/carb-orchard>. Comments received will be consolidated and agency responses will be included in the final version of this Compatibility Determination.

DETERMINATION:

- Use is not compatible
- Use is compatible with the following stipulations

STIPULATIONS NECESSARY TO ENSURE COMPATIBILITY:

1. This use must be conducted in accordance with state, tribal and federal regulations, and special refuge regulations published on the refuge website http://www.fws.gov/refuge/harbor_island and in 50 CFR Part 32 Subpart A § 32.5 and Subpart B §32.32(b). Regulations and monitoring help ensure that harvest levels of fish do not have harmful long-term impact on fish populations.
2. Anglers will not use gas powered augers or gas powered boats.
3. Dispose of fishing line properly. Line left lying on the ground or in the water may entangle wildlife causing serious injury or death.
4. We prohibit the taking of any mussels (clams), crayfish, leech, frog, toad, salamander, snake, lizard, turtle and other non-fish species by any method on the refuge.

JUSTIFICATION:

In view of the above information and with the stipulations previously described, fishing will not materially interfere with or detract from the purposes of the refuge or the mission of the refuge system. Fishing seasons and bag limits are established by the Illinois Department of Natural Resources and are generally adopted by the refuge. These restrictions ensure the continued well-being of overall populations of game animals. Fishing does result in the taking of individuals within the overall population, but restrictions are designed to safeguard and maintain adequate breeding populations from year to year. Specific refuge regulations address equity and quality of opportunity for anglers and help safeguard refuge habitats. Disturbance to other fish and wildlife does occur, but this disturbance is generally short-term, and adequate habitat occurs in adjacent areas. Allowing this use also furthers the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife and plant resources on the refuge.

Fishing is one of the six priority wildlife-dependent recreational uses identified in the National Wildlife Refuge System Administration Act of 1966 (as amended by the National Wildlife Refuge System Improvement Act of 1997). Service policy directs us to provide fishing opportunities when compatible with refuge management, and offering this use helps us meet the long-term goal of the refuge. Fishing is consistent with the refuge's larger goals to make the refuge more accessible to visitors. Additional information about these goals can be found in the Comprehensive Management Plan (2007).

SIGNATURES

Refuge Manager:

CONCURRENCE

Regional Chief:

MANDATORY 10 OR 15-YEAR RE-EVALUATION DATE: 2036