

COMPATIBILITY DETERMINATION

Use: Herbicide Use by non-USFWS Organizations and Individuals on the Refuge

Refuge Name: Crab Orchard National Wildlife Refuge

Establishing and Acquisition Authorities: Public Law 80-361 and the Refuge Recreation Act

Refuge Purpose(s): Crab Orchard National Wildlife Refuge (Refuge) was established by Public Law 80-361 "... for the conservation of wildlife, and for the development of the agricultural, recreational, industrial, and related purposes ..." (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).

On October 19, 1976, Congress enacted Public Law 94-557 designating a portion of the Refuge one of many wilderness areas of the National Wilderness Preservation System " ... 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: The U.S. Fish and Wildlife Service (Refuge) proposes to authorize the use of herbicides on the Refuge by non-employees. Currently, only certified federal employees, right-of-ways contractors, cooperative farmers, volunteers, and special use permit holders with pesticide applicator licenses (Illinois Department of Agriculture), are allowed to use herbicides on the Refuge. Through collaboration with federal, state, and private partners, additional opportunities and resources are available to accomplish invasive species control on the Refuge. These partnerships may provide a valuable supplement to current resource-limited staff efforts to treat non-native invasive species. Federal, state and private partners using herbicides in right-of-ways, along federal boundaries and within the Refuge boundaries will enhance Refuge management of invasive species. With the appropriate Illinois Department of Agriculture pesticide license, as authorized by the Illinois Pesticide Act [450 ILCS 60], contractors, right-of-way managers, state and federal employees, volunteers, and other non-governmental organization employees or affiliates may be allowed to use herbicides to control non-native

invasive species on Refuge lands. Herbicides may be used in prairies, forests, and near water resources, following IL-EPA herbicide label guidelines, all Fish and Wildlife Service, and any additional stipulation required by the Refuge. Special Use Permits will be issued when habitat goals for the Refuge are met.

Availability of Resources: Equipment and supplies may be available for certified volunteers and right-of-ways maintenance. Current staffing levels are sufficient to monitor use of herbicides and treatments. These functions are performed as part of their normal duties.

Anticipated Impacts of the Use: Wildlife disturbances may occur but overall will be insignificant; and in the long-term, the removal of non-native invasive species is predicted to have a positive impact on wildlife by promoting the establishment of native plants upon which wildlife depend. Public activities will be taken into consideration during herbicide applications. Refuge staff will make every appropriate effort to reduce the impacts to native species within and surrounding the Refuge boundaries.

Public Review and Comment: This compatibility determination will be released for a two-week comment period. This document will be available to all interested parties and online at the Refuge website (http://www.fws.gov/refuge/crab_orchard/) and at the Refuge visitor center located in Marion, Illinois. News releases will be sent out to the public announcing the comment period for this document.

Determination:

_____ **Use is Not Compatible**

_____ **Use is Compatible with Following Stipulations**

Stipulations Necessary to Ensure Compatibility:

1. Herbicide application must follow current Illinois state regulations, FWS and National Wildlife Refuge System policies, and Special Use Permit guidelines.
2. All chemicals must be pre-approved in writing by the Refuge Manager prior to application.
3. Applicator must follow directions and warnings found on the label for the chemical.
4. Proper personal protective equipment must be worn at all times when using herbicides.
5. Supplied chemicals and equipment must only be used to control Refuge-approved target species.
6. No insecticides will be authorized.
7. A Special Use Permit is required for all related projects.

8. All general conditions and requirements of Special Use Permit must be followed.
9. Only chemicals approved through Pesticide Use Proposal System will be authorized for use on Refuge property.
10. Permit holders must report herbicide use following the completion of a project.
11. Permit holders and all persons involved must maintain proper Illinois Pesticide Applicator certification to use pesticides on Refuge property.
12. Herbicide applications will be monitored, as appropriate, by Refuge staff for compliance with application guidelines.

Justification:

Non-native invasive species are a threat to the conservation of native species found on the Refuge. Through collaboration, the Refuge can increase its current capacity to manage non-native invasive species on lands within the Refuge. The availability of Refuge staff to treat non-native invasive species is limited and coordinating with partners to maximize the use of available resources promotes mutually beneficial relationships.

Refuge Manager Signature: _____ Date:

Regional Chief Concurrence: _____ Date:

Mandatory 10- or 15-year Re-evaluation Date: